Empire of Poverty

The Moral-Political Economy of the Spanish Empire

JULIA McCLURE

OXFORD
UNIVERSITY PRESS

OXFORD
UNIVERSITY PRESS

Great Clarendon Street, Oxford, OX2 6DP,
United Kingdom

Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
and education by publishing worldwide. Oxford is a registered trade mark of
Oxford University Press in the UK and in certain other countries

© Julia McClure 2024

The moral rights of the author have been asserted

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, transmitted, used for text and data mining, or used for training artificial intelligence, in any form or by any means, without the prior permission in writing of Oxford University Press, or as expressly permitted by law, by licence or under terms agreed with the appropriate reprographics rights organization. Enquiries concerning reproduction outside the scope of the above should be sent to the Rights Department, Oxford University Press, at the address above.

You must not circulate this work in any other form
and you must impose this same condition on any acquirer

Published in the United States of America by Oxford University Press
198 Madison Avenue, New York, NY 10016, United States of America

British Library Cataloguing in Publication Data
Data available

Library of Congress Control Number: 2024941333

ISBN 9780198933878

DOI: 10.1093/9780198933908.001.0001

Printed and bound by
CPI Group (UK) Ltd, Croydon, CR0 4YY

Links to third party websites are provided by Oxford in good faith and for information only. Oxford disclaims any responsibility for the materials contained in any third party website referenced in this work.

MIX
Paper | Supporting responsible forestry
FSC® C013604

W 84474

Universitätsbibliothek Trier

Acknowledgements

Empire of Poverty has been shaped by the research projects and environments that I have had the privilege to be part of over the last years.

At Harvard's Weatherhead Initiative on Global History (WIGH), I gained an international community of scholars and friends that have offered continuous support and inspiration over the years. Thanks to all of my 2013 cohort, Amitava Chowdhury, Norberto Ferreras, Omar Gueye, Maral Jefroudi, Steven Serels, and WIGH directors Sven Beckert and Charles Maier for the continued research conversations and friendships. It was also great to present my work to a new cohort of WIGH scholars in 2020. I am especially grateful to Steven Serels, with whom I have endless conversations on histories of poverty (often on long hikes up mountains), and to Sven Beckert, who offered helpful comments on a draft of this manuscript.

In 2016 I established the Poverty Research Network, with help from the AHRC and GCRF funding (and contributions from WIGH colleagues), giving me the opportunity to reflect on the different causes, meanings, and experiences of poverty in Brazil, Bangladesh, Mexico, Senegal, and a Roma community in Slovenia. This multi-site project, centred in the Global South, has shaped my understandings of the political dimensions of poverty and the importance of understanding different value regimes. It was a pleasure to work with artists from Mexico, Senegal, and Glasgow, and curator Tommaso Ranfagni to challenge colonial and stigmatising representations of poverty in an exhibition in 2019. This also developed themes discussed at a conference I organised in 2016 on the aesthetics of poverty.

My work has benefited from my membership of a number of international research groups, and contribution to their seminars and publications has provided invaluable feedback. Thanks to Christian O. Christiansen and the Global Inequality Research Group at the University of Aarhus, Denmark; Amitava Chowdhury and the Global History Initiative in Queens, Canada; Gurminder K. Bhambra and members of the Tax Justice Network; Rosie Doyle and other members of the Society of Latin American Studies; Regina Grafe and the EUI community; Giorgio Riello et al. and the University of Warwick Global History and Culture Centre; and the 'Economic and Social History of the Early Modern World, 1500–1800' seminar series at the Institute of Historical Research. In recent years, my more local communities at the University of Glasgow have also offered important forums for discussion; thanks to Thomas Munck and the Early Modern Research Cluster, Matthew Strickland and the Medieval History

Research Cluster, and to the Global History Research Cluster. I am grateful to the interdisciplinary network of friends and colleagues I have made at the Universities of Warwick and Glasgow, too many to name here. Special thanks to Kathryn Woods, Erin Jessee, Maud Bracke, Andrew Mackillop, Karin Bowie, Shantel George, and Stefanie Reher. It has also been a pleasure to discuss some of the research here with my special subject class, 'Law and Justice in the Spanish Empire: African, Asian, European, and Indigenous American Perspectives'.

This book has been shaped by the time I have spent in Spain, Mexico, and other parts of Latin America. A visiting fellowship in 2019 at the Universidad Católica, Santiago, Chile, organised by my good friend and colleague Camila Gatica Mizala, gave me the opportunity to discuss my work with new colleagues, and learn more about the Southern Cone region of Latin America. That same year I had a chance to participate in a series of interdisciplinary workshops on markets, constitutions, and inequality at the Universidad de los Andes in Bogotá, Colombia. Special thanks to the friends and colleagues with whom I have shared enriching journeys (and mezcal) in Mexico: Anna Chadwick, Emma Cardwell, Rosie Doyle, Becca Harrison, and Katie Keller. Thanks also to Marco Musillo, who has accompanied me on many research trips to Spain and Italy, provided valuable insights in global historical approaches and archival research, and taken some of the images contained in this book.

I am grateful to the archivists who have given their time as I made my way through different kinds of documents relating to discussions of poverty in Seville, Mexico City, and Bogotá. Thanks to Sara Gonzalez who helped with some source transcriptions. Thanks also to the book's editor and anonymous reviewers for their thoughtful comments. I am especially grateful to the people I have met in Mexico who have shown me such generosity with their time. In my visits across Chiapas and Oaxaca, strangers have become friends, opened their homes, shared food and stories, and taught me the real value of generosity and hospitality.

Finally, thanks also to my family and friends, especially Irene McClure and the late Ray McClure.

To the world's dispossessed, a reminder that poverty is not natural.

Contents

List of Figures ix
Abbreviations xi

Introduction 1

1. New World Wealth and Old World Poverty: The Making of an Economic Legend 34
2. Indigenous Moral Economies and the Political Invention of Indigenous Poverty 53
3. The Moral-Political Economy of Poverty and Theories of Global Sovereignty 78
4. Poverty Politics and State Formation 114
5. Making Indigenous Poverty for a New World 137
6. The Moral-Political Economy of the Spanish Empire in Practice 175

Conclusion: The long political history of poverty and the making of imperial inequalities 200

Glossary 209
Bibliography 211
Index 231

List of Figures

Nazareno de las Fatigas (Christ of the fatigues) (s. XVI), Gaspar del Águilar (1587), Church of the Santa María Magdalena, Seville

1. Retablo Mayor, Cathedral of Seville, photo credit Marco Musillo 18
2. Retablo Mayor, Hospital de la Caridad, Seville, sculptures by Pedro Roldán (1624–1699), photo credit Marco Musillo 19
3. The Gentleman and Death (El caballero y la muerte) (attributed to Pedro de Camprobin (1605–1674)), Hospital de la Caridad, Seville (wikicommons image) 19
4. Retablo del Virgen del Amparo (made 1705–1710), Confraternity chapel in the Church of Santa María Magdalena, Seville, author's own photo 20
5. Representation of the Chichimeca in the Codex Xolotl, Bibliothèque Nationale de France, Manuscripts, Mexicain 1–10 taken from https://gallica.bnf.fr/ark:/12148/btv1b10303816n (last accessed 17/03/2024) 55
6. Bonampak mural, women ritualistically pierce tongues with maguey spikes, author's own photo 66
7. Statue of San Benito, Chapel of the Cerrito, next to the Basilica of Our Lady of Guadalupe, Mexico D.F., author's photo 154
8. San Martín de Porras, "Retablo Muerto y Resucitado", Templo de Santo Domingo de Guzmán, Oaxaca, author's own photo 155
9. San Martín de Porras, Chapel of Montserrat, Seville, author's own photo 156

Abbreviations

AGI	Archivo General de Indias
AGNC	Archivo General de la Nación de Colombia
AGNM	Archivo General de la Nación de México
AGS	Archivo General de Simancas
BNE	Biblioteca Nacional de España

Introduction

> they saw trees very green, and much water, and fruits of diverse kinds…It appeared to me to be a race of people very poor in everything.[1]

In 1492, when Christopher Columbus first arrived in the Americas on an expedition funded by the Spanish monarchs, he described the richness of the lands and the poverty of its peoples. This imagined separation of Indigenous peoples from the wealth of their lands foreshadowed the story of colonialism that would unfold around the world from the sixteenth century. Prior to European invasion, it is estimated that the Americas were home to between 42 and 65 million people,[2] and were organised into societies that sometimes enjoyed an abundance of resources and also had strategies for mitigating scarcity. Early colonists, in search of gold, silver, spices, and other resources that could be exploited for profit, repeatedly described what they saw as the natural abundance of the Americas. Conversely, Indigenous peoples were often described as poor. The construction of Indigenous peoples as poor was a material, political, and legal process that helped create the notion that they were colonial subjects in need of governance as an act of charitable care, and to position them as a cheap form of labour within the newly emerging colonial society. The concept of poverty, and the governance of people who come to be classed as poor has been foundational to projects of state and empire formation. The act, or appearance, of providing for and protecting the people in society who are weaker or have fewer resources has been central to the ways in which states and empires have constructed and maintained their sovereignty and legitimacy. In this book I use the term 'moral-political economy' to highlight the blurred boundaries between the moral, political, and economic realms, and to examine the different ways in which material processes were

[1] Christopher Columbus, *Journal of the First Voyage of Columbus*, in Christopher Columbus and Clements R. Markham eds, *The Journal of Christopher Columbus (during His First Voyage, 1492–93) and Documents Relating to the Voyages of John Cabot and Gaspar Corte Real* (Cambridge: Cambridge University Press, online edition 2010, first published in 1893), 13–194, 37.

[2] William M. Denevan calculated the possible range of 42 to 65 million people in 1492; William M. Denevan, 'Native American Population in 1492: Recent Research and a Revised Hemispheric Estimate', in William M. Denevan ed., *Native Population of the Americas in 1492* (Madison: Wisconsin: University of Wisconsin Press, 1992, 2nd edn), xvii–xxix, xxix. Massimo Livi Bacci estimated 42 million people before colonialism; Massimo Livi Bacci, *A Concise History of World Population* (Oxford: Wiley Blackwell, 2017 6th edn, first published 2007), 25. Estimates have reached as high as 113 million people.

embedded in contingent and dynamic moral and political concepts. Poverty is the key concept of the 'moral-political economy' of empire, underpinning theories of sovereignty and governmental practices as well as the way people could negotiate resources and the status-based structure of inequality. On the one hand, rulers constructed their sovereign claim by appearing to protect or provide for subjects; on the other, subjects were aware of these moral-political obligations and their implications for resource distribution. The result was often a more negotiated form of imperial sovereignty than has previously been acknowledged.

The idea of poverty as a political subject and the poor as subjects of governance is often thought to have begun in the eighteenth century with the birth of classical political economy,[3] yet poverty politics and understandings of political economy are far older. Understandings of poverty were contested and debated in the long sixteenth century and these contested concepts of poverty were fundamental to the newly emerging iterations of state and empire. Further, moral and political discussions of poverty laid the foundations for economic theories of poverty. While 'economy' came to be conceptualised as a separate realm, in reality economic concepts continued to be informed by moral and political beliefs which continued to be informed by moral and political discourses. While many global and imperial histories have asked how empires created economic poverty, *Empire of Poverty* shifts the focus and examines how moral-political concepts of poverty helped create empires. The global empires that emerged from the sixteenth century were defined by new moral-political and economic regimes of poverty and inequality.

The sixteenth century was a critical period of transformation both in Europe and around the world. The expansion of the world's first global empires entangled the world's people and places in the first global economies. The world was rocked by the combined processes of the transition to capitalism and the global expansion of European imperialism, with devastating effects on the world's Indigenous populations, cultures, and ecologies. The ecological and epistemological impacts of the particular kind of imperialism that developed in the sixteenth century, and the moral-political contours of poverty and inequality, continue to define the world we live in today.

[3] As will be elaborated, the changing concept of poverty and governance of the poor was central to the history of the emergence of classical political economy developed by Karl Polanyi in *The Great Transformation: The Political and Economic Origins of Our Times* (Boston: Beacon Press, 2002), first published in 1944. Michel Foucault also developed a history of the emergence of a new form of political economy in the eighteenth and nineteenth centuries based upon the governance of populations in his theory of biopolitics. See M. Foucault, *The Birth of Biopolitics*, G. Burchell, trans. (New York: Picador, 2008). Foucault argued that an epistemic shift took place from the mercantilist models of economic thought to the Smithian principles of economic thought in the eighteenth century. See also Iara Vigo de Lima, *Foucault's Archaeology of Political Economy* (Basingstoke: Palgrave, 2010) and Danielle Guizzo and Iara Vigo de Lima, 'Foucault's Contributions for Understanding Power Relations in British Classical Political Economy', *Economia*, 15: 2 (2015), 194–205.

The long sixteenth century was a critical period for the emergence of what I call 'colonial capitalism': the co-constitutive processes of the formation of the world's first global empires and the further development of capitalist systems. Capitalism is not understood here as a universal system but rather a set of changing relations. The historian Fernand Braudel (1902–85) described different stages of the development of capitalism, from the emergence of mercantile capitalism with the spread of money and markets in Europe in the thirteenth century,[4] and observed that:

> it would be a mistake to imagine capitalism as something that developed in a series of stages of leaps—from mercantile capitalism to industrial capitalism to finance capitalism—with some kind of regular progression from one kind to another, with 'true capitalism' appearing only at the late stage when it took over production, and the only permissible term for the early period being mercantile capitalism or even 'pre-capitalism'.[5]

Transitions to capitalism took slightly different forms in different times and places, but in the sixteenth century these processes were increasingly linked and shaped by the emergence of the colonial world system.[6] The transition to capitalism is significant as it is the process that contributed to the ideological and material conditions of poverty. The transition to capitalism crystallised new classifications of the poor, and their place in society.

The notion that the transition to capitalism created new forms of poverty as well as wealth was a key insight of the first theorist of capitalism, Karl Marx (1818–83), who noted that economic growth generated the process he called 'pauperization'. Marx recognised that 'accumulation of wealth at one pole is, therefore, at the same time accumulation of misery, agony of toil, slavery, ignorance, brutality, mental degradation, at the opposite pole'.[7] Marx described this as the 'antagonistic character of capitalistic accumulation'.[8] Marx saw this process of pauperization happening through proletarianization as peasants were made landless: 'They were turned *en masse* into beggars, robbers, vagabonds, partly from inclination, in most cases from the stress of circumstances.'[9] Marx argued that this process took place across Western Europe in the late fifteenth and

[4] Fernand Braudel, *Civilization and Capitalism 15th–18th Century*, 3 vols, trans. Siân Reynolds (London: Collins, 1981–84).

[5] Fernand Braudel, *The Perspective of the World: Civilization and Capitalism 15th–18th Century*, vol. III, trans. Siân Reynolds (London: Collins, 1984), 621.

[6] For an explanation of how the colonisation of the Americas contributed to the formation of the capitalist world system see Immanuel Wallerstein, *The Modern World-System*, 3 vols, (London: Academic Press, 1976–89).

[7] Karl Marx, *Capital: A Critical Analysis of Capitalist Production*, vol. 1 (Ware, Hertfordshire: Wordsworth Editions Limited, 2013), 452.

[8] Ibid., 452. [9] Ibid., 514.

sixteenth centuries at the same time that there was increased 'bloody legislation against vagabondage'.[10] In 1979 economic historians Catherine Lis and Hugo Soly set out to quantify how the transition to capitalism increased poverty in early modern Europe, and argued that 'every town in western Europe confronted increased poverty from around 1450'.[11] While classic Marxist analysis has seen the transition to capitalism and the making of poverty as a material process, *Empire of Poverty* examines the remaking of poverty also as an ideological process. It examines the role of moral-political beliefs in facilitating this shift in ideology and material conditions in the increasingly global-imperial context of the long sixteenth century.

The early modern period is often read as the history of the 'escape from poverty',[12] but we should rather think of this period as the material and ideological remaking of poverty. As economic historian Guido Alfani has explained, the model of the early modern European 'escape from poverty' tended to be based upon improvements in average conditions rather than considering the parallel growth in inequality and the increased proletarianization of the poor in Europe, a process through which the poor lost the ownership of the means of production and were increasingly dependent upon selling their labour for wages and 'could have easily contributed to the spread of poverty'.[13] Across medieval Europe people with little or no private property were often able to obtain certain resources that facilitated their subsistence through access to communal property or customary use rights. Reduced access to communal land and other resources contributed to increased dependency on wage labour and the proletarianization of the poor. This process, known as 'enclosure', is well documented in England. The first English enclosure statute (the statute of Merton) was passed in 1235, allowing lords to enclose common land. The enclosure of land and other resources expanded in the early modern period, from the sixteenth century, as more land was turned over to sheep grazing as wool became more profitable.[14] Food prices and inequality increased.[15] The English satirist Thomas More criticised the social and economic impacts of enclosure in his *Utopia* (published

[10] Ibid., 1, 514. Marx also gave examples of similar poverty legislation in seventeenth-century France, and Charles V in the Netherlands in the sixteenth century.

[11] Catherina Lis and Hugo Soly, *Poverty and Capitalism in Pre-Industrial Europe* (Brighton, Sussex: Harvester Press, 1979), 78. They found that in England, where the transition to capitalism was supposedly fastest, in some parts of rural society up to 87% of people lived at or below the poverty line; Lis and Soly, *Poverty and Capitalism*, 71.

[12] For example, Peer Vries, *Escaping Poverty: The Origins of Economic Growth* (Vienna: Vienna University Press, 2013).

[13] Guido Alfani, 'The Economic History of Poverty, 1450–1800', in David Hitchcock and Julia McClure eds, *The Routledge History of Poverty, 1450–1800* (Abingdon: Routledge, 2020), 21–38, 23.

[14] Between 1604 and 1914 there were over 5,200 enclosure bills, enclosing 6.8 million acres, around a fifth of England's land; UK Parliament 'Enclosing the Land', https://www.parliament.uk/about/living-heritage/transformingsociety/towncountry/landscape/overview/enclosingland/.

[15] Robert C. Allen, *Enclosure and the Yeoman: The Agricultural Development of the South Midlands 1450–1850* (Oxford: Oxford University Press, 1992), chapter 14.

1516): *'to make this hideous poverty worse, it exists side by side with wanton luxury'*.[16] While the enclosure movement in England is well known, forms of enclosure also took place in the Iberian Peninsula.[17] Using indicators such as the general decline of meat consumption, Braudel charted increases of poverty in the early modern period.[18] Braudel also pointed to the social dimensions of poverty, assessing the levels of food distributed to people on galley ships and in poor houses and arguing that 'the true poor were those who found no official provider, whether warlike or charitable'.[19] Loss of access to communal resources and increased pressure to migrate in search of wage labour often fragmented communities, creating more social isolation and contributing to the socio-economic remaking of poverty in the early modern period.

In the twentieth century, the sociologist Peter Townsend (1928–2009) noted the conceptual and technical shortcomings of applying generic measures of poverty across society and called for relative measures of poverty that were tailored to specific societies.[20] The introduction of the terms 'absolute' and 'relative' poverty acknowledged differences of context, but continued to try to quantify poverty in terms of the monetary values of income or commodity consumption. The shift was important, but did not find a way to establish a consensus on meanings of poverty and wealth across diverse value regimes. Attempts to measure poverty according to a preconceived idea of what poverty is have contributed to the erasure of diverse value regimes.

Poverty is understood here not as an absolute material condition but as a set of moral, political, and economic beliefs relating both to material conditions and social order. Conceptions of poverty are contextually contingent and change over time. In the Middle Ages in Europe, poverty was a sacred category. According to the founding beliefs of Christianity, Christ (God incarnate) had lived on earth as a poor man and proclaimed the sanctity of the poor. Christianity gave poor people a special status. Within Christianity there was a belief that God was somehow hidden among strangers in the ranks of the poor, and so to deny a poor stranger charity could be to deny God. Christ was reported to have said that whenever someone gave charity to a poor stranger, they gave to him ('I was a stranger, and ye took me in', Matthew 25:40). This established the 'mystique' of the poor, the idea that God could be hidden within the ranks of the poor, and that

[16] Thomas More, *Utopia*, George M. Logan ed., Robert M. Adams trans. (Cambridge: Cambridge University Press, 2016, 3rd edn), 21.

[17] David E. Vassberg, 'The Tierras Baldías: Community Property and Public Lands in 16th Century Castile', *Agricultural History*, 48: 3 (1974), 383–401.

[18] Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, vol. 1, trans. Siân Reynolds (Berkley, CA: University of California Press, 1995), 459.

[19] Ibid., 460.

[20] Peter Townsend, *Poverty in the United Kingdom: A Survey of Household Resources and Standards of Living* (Harmondsworth: Penguin Books, 1979). As will be discussed in Chapter 2, the contextually contingent nature of poverty had already been raised in 1966 by the anthropologist Marshall Sahlins.

giving to the poor could be giving to God. As the classicist Peter Brown explained, the conversion of the Roman Empire to Christianity in the fourth century CE made Christian beliefs about poverty central to imperial politics, at the same time that the secular clergy carved out a significant role in society through casting themselves as the protectors of the poor.[21] The meaning of poverty, a central element of moral-political economic order, was debated throughout the Middle Ages. In the thirteenth century, a number of religious movements, known as the mendicant orders, emerged that focused on the moral-political importance of poverty. The mendicant orders, especially the Franciscans and the Dominicans, emphasised poverty as a religious virtue and the sanctified status of the poor in society. Their positions on poverty questioned the morality of property, the nature of power, and the relationship between Church and state.[22] These questions were central to the debates of the Protestant and Catholic Reformations in the long sixteenth century.

The development of colonial capitalism in the long sixteenth century created new meanings and experiences of relative poverty. Newly emerging moral notions of the 'deserving' and 'undeserving' poor were used to differentiate and govern people across an increasingly unequal society in Europe and across the Atlantic and later the Pacific.[23] There were new laws against vagrancy and more punishments of forced labour. In the context of the development of colonial capitalism, changing beliefs about poverty, wealth, and the ideal social order helped justify the social, economic, and political inequalities that came to characterise early modern global empires.

Marx acknowledged the role of colonialism in this transition in his discussion of 'primitive accumulation', which for him was an accumulation of property, often in the form of land, that preceded capital accumulation and laid its foundations.[24] Marx recognised the role of the violent appropriation of Indigenous land in the process of so-called 'primitive accumulation', but he also contributed to the erasure of Indigenous histories and agencies.[25] Scholars have addressed this in various ways; Indigenous scholar Glen Coulthard explained the importance of understanding the dynamics of colonial-capitalist 'primitive accumulation' in the historical dispossession of Indigenous people and their contemporary struggle

[21] See Peter Brown, *Poverty and Leadership in the Later Roman Empire* (Hanover, NH: Brandeis University Press, 2002), 45–73.

[22] See Julia McClure, 'Poverty and Empire', in David Hitchcock and Julia McClure eds, *The Routledge History of Poverty, 1450–1800* (Abingdon: Routledge, 2020), 39–59, 46.

[23] For examinations of how economic growth increased inequality in early modern Europe see J. L. Van Zanden, 'Tracing the Beginning of the Kuznets Curve: Western Europe during the Early Modern Period', *Economic History Review*, 48: 4 (1995), 643–64; and Guido Alfani and Matteo Di Tullio, *The Lion's Share: Inequality and the Rise of the Fiscal State in Preindustrial Europe* (Cambridge: Cambridge University Press, 2019).

[24] Karl Marx, *Capital*, vol. 1, part VIII.

[25] See Glen Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis, MN: University of Minnesota Press, 2014), 10.

for decolonisation,[26] while historian John Tutino gave a historical account of the agency of Indigenous peoples and their contributions to the making of the capitalist system.[27] The history of the place of Indigenous peoples in the Spanish Empire is complex as the Spanish Empire legally recognised the property of Indigenous peoples. The legal recognition of Indigenous property did not prevent the violent dispossession of Indigenous peoples, but it did shape the set of conditions within which Indigenous peoples negotiated their position within the frameworks of the Spanish Empire.

The transition to colonial capitalism taking place in the context of the development of the Spanish Empire in the long sixteenth century cannot fully be explained through the notion of primitive accumulation and is better understood as the development and expansion of forms of agrarian and merchant capitalism as the Americas and later the Philippines became part of an emergent world system.[28] Spain's overseas economic objective had initially been the pursuit of the high-value commodity of spices in the East. With the 'discovery' of the New World the pursuit of the precious metals gold and silver became a key economic objective and mines were developed in strategic locations. While the Spanish Empire is well known for its pursuit of silver and gold, Spanish colonialism in the Americas was also driven by the expansion of commercial agricultural developments, and the exploitation of new commodities, including cochineal and cacao. Andre Gunder Frank argued that 'after the Spanish conquest, the utility and profitability of Mexican agriculture resulted in its becoming a by-product of the colonial economy and its development, just as the colonial economy itself was a by-product of—and contributed to—the world-wide expansion and development of the mercantile capitalist system'.[29] Spain's transformation of agricultural production was likely more intentional than Gunder Frank's analysis indicated, as the Crown issued many licenses to support agricultural development in the Americas. Early settlers brought sugar cane from plantations that were already established in the Canaries, and the Crown issued licences and tax breaks for the development of sugar mills (*ingenios*).[30]

Persistent problems of labour shortages were some of the ongoing issues for the Spanish Empire. This shortage was exacerbated by demographic disasters and acts of resistance of Indigenous Americans and Africans. Both mining and

[26] Coulthard, *Red Skin, White Masks*, 6–15.

[27] See John Tutino, *Making a New World: Founding Capitalism in the Bajío and Spanish North America* (Durham, NC: Duke University Press, 2011).

[28] See Immanuel Wallerstein, *The Modern World-System*, 3 vols (London: Academic Press, 1976–89).

[29] Andre Gunder Frank, *Mexican Agriculture 1521–1630: Transformation of the Mode of Production* (Cambridge: Cambridge University Press, 1979), 2.

[30] Genaro Rodríguez Morel, 'The Sugar Economy of Española in the Sixteenth Century', in Stuart B. Schwartz ed., *Tropical Babylons: Sugar and the Making of the Atlantic World, 1450–1680* (Chapel Hill, NC: University of North California Press, 2004), 84–114.

farming were labour-intensive and the control of labour became a central political economic objective from the sixteenth century. While slavery was part of the solution in the Spanish Empire in the sixteenth century,[31] a variety of different labour regimes coexisted, including the labour tribute systems (that are often equated with slavery), penal labour, and wage labour. In labour-intensive sites such as mines, these different types of labour and different types of people (Indigenous American, Black African, Spanish, Mestizo) could find themselves working side by side. These different people shared a political identity as subjects of the Spanish Crown. Moral-political concepts of poverty were important to the construction of different peoples as colonial subjects and as workers, and moral beliefs about poverty helped differentiate these groups and create the inequalities required for an imperial society. These moral-political concepts of poverty also shaped the moral economy of empire, the bonds of reciprocity whereby extractions of goods and labour had to be rewarded with returns of charity, protection, and justice, to maintain the stability and legitimacy of the political community. Moral-political beliefs about poverty mattered to the emergence of empires and the development of colonial capitalism. As Chapter 2 will explore, prior to colonialism Indigenous Americans had their own moral-political economies, and these also shaped the development of colonial society as well as patterns of resistance.

The Spanish Empire was the first global empire; from the start of the sixteenth century, it forged a new colonial society that juxtaposed new forms of poverty and wealth and connected people through the sometimes volatile languages of moral-political economy. The events of 1521 bring this into focus. In 1521 Hernán Cortés captured Cuauhtemoc, who had ruled the Aztec Empire for less than a year after Moctezuma's death in battle. With this final end of Aztec rule the Spanish seized the treasures of local elites. Many of the Spanish seizing the goods of nobles had arrived in the Americas as poor foot soldiers, like Bernal Díaz del Castillo, who wrote a memoir of his role in the battles against the Aztecs in which he repeatedly complained that the Americas had not made him rich.[32] It is impossible to calculate the value of the goods looted from the Aztec Empire; some treasures were lost when the Spanish were routed from Tenochtitlan during '*La Noche Triste*',[33] others surely entered private collections. The conquistadores were obliged to send a fifth of all wealth looted in war, or precious metals extracted through mining, directly to the Spanish Crown (known as the *quinto real*, or

[31] Sven Beckert has explained the importance of slavery in the emergence of capitalist systems; see Sven Beckert, *Empire of Cotton: A Global History* (New York: Alfred A. Knopf, 2014).

[32] See Bernal Díaz del Castillo, *The True History of the Conquest of New Spain*, ed. Genero García, trans. Alfred Percival Maudslay (Cambridge: Cambridge University Press, 2013 (first published 1908)).

[33] Hernán Cortés, Third Letter, *Hernán Cortés: Letters from Mexico*, ed. Anthony Pagden (New Haven: Yale University Press, 1986), 175.

royal fifth). After the capture of Cuauhtemoc, Cortés described gathering the spoils, valuing the melted-down gold at 130,000 castellanos,[34] and promising to send a fifth of this and other goods, including enslaved people, and 'many gold buckles, plumes, feather headdresses and things so remarkable that they cannot be described in writing'.[35] Wealth plundered from the Aztecs was sent to the Spanish Crown via the imperial port city of Seville. The same year that the plundered treasures of Central Mexico arrived in Seville grain prices were soaring and a significant bread riot had broken out.[36] Seville's 1521 bread riot was one of a series of protests erupting across Spain as the constitutional crisis of the *comunero* revolt spread. The Crown gained new wealth; at the same time it was reminded by people in Spain of the constitutional commitment to moral-political economic order. While 1521 is usually marked as the year of the end of the Aztec Empire and the expansion of Spanish imperialism, people around the world articulated their resistance. In 1521 the Indigenous peoples of northern Venezuela successfully resisted an attempt at Spanish settlement led by Bartolomé de Las Casas. That same year, the sugar plantation on the Caribbean Island of Hispaniola, owned by Christopher Columbus's son Diego, became the site of the first known act of collective rebellion by enslaved Black Africans.[37] Also in 1521 the Spanish-funded Portuguese navigator Ferdinand Magellan (*c.*1480–1521) was killed by local inhabitants on Mactan Island, part of the island group that became the Spanish Philippines.

I describe the Spanish Empire as the first global empire not simply because it was the first to be realised on a geographically global scale, with the establishment of the port of Manila in the Philippines in 1571, but because of the new ways contemporaries conceptualised the imperial project as global, and the ways in which the aspirational global project was realised pluralistically, shaped by the agency and intellectual and political cultures of Indigenous Americans, Filipinos, and Africans and Afro-descendants. This framework for understanding the Spanish Empire as a global empire contributes to a growing body of scholarship that goes beyond binary conquest narratives to recognise the pluralism and agency of different people and communities across territories claimed as part of

[34] The castellano was a gold coin. It had been the standard gold coin until 1497, valued at 1/5 of a marc of 23¾ carat gold. Currency was reformed between 1535 and 1537, the same time that a royal mint was established in Mexico City, and the escudo became the main gold coin. See Clarence Haring, 'American Gold and Silver Production in the First Half of the Sixteenth Century', *The Quarterly Journal of Economics*, 29: 3 (1915) 433–79.

[35] Ibid., 265–6.

[36] The population of Seville had been rising unsustainably in the sixteenth century, driven by migration from increased pressures on agricultural life in rural communities and the attraction of jobs supporting the increase of the maritime industry. Seville experienced a further significant bread riot in 1652. See Mary Elizabeth Perry, *Crime and Society in Early Modern Seville* (Hannover, NH and London: University Press of New England, 1980), 249.

[37] Alexa Rodríguez, 'Reflections on the 1521 Rebellion: Teaching the History of Early Afro-Descendants in Latin America', *Latino Studies*, 20: 4 (2022), 555–61, 556.

the Spanish Empire.[38] Scholars have observed that the methodological approaches of global history are essential for recognising the complexities of the Spanish Empire.[39] This requires searching for the perspectives and agency of the different peoples inhabiting and traversing imperial spaces. It also means recontextualising European history to understand the ways in which newly emerging moral, political, and legal cultures were in dialogue with the newly realised global context.[40] As will be explored in Chapter 1, this involves analysing the role played by the Spanish Empire, and the legends of its supposed wealth and poverty, in the history of classic political economy. Chapter 1 will focus on these legends, especially the idea that Spain tapped untold riches in the New World but ended up exceptionally poor, to tell a broader story about the role of moral beliefs about poverty in shaping political economic ideas.

Empire of Poverty does not start out from the premise that the Spanish Empire was exceptionally economically poor, either across the Iberian Peninsula, Latin America, or Pacific, but rather seeks to understand how moral and political beliefs about poverty contributed to the formation of Spanish Empire in the long sixteenth century. It traces the moral and political histories of poverty, demonstrating how these influenced the laws, institutions, and political and economic practices of the emerging Spanish Empire. Moral and political concepts of poverty were important to negotiations of sovereignty at the local and global level across the Spanish Empire. Moral and political beliefs about poverty were used to construct, maintain, and negotiate the hierarchies of inequality that came to characterise the imperial global order.

Moral Crisis and Changing Concepts of Poverty and Wealth in the Long Sixteenth Century

During the long sixteenth century, Western Europe underwent a moral crisis as there was a fragmentation and questioning of the moral norms that had governed medieval Christendom. At the same time that the Protestant and Catholic Reformations were leading to ideological ruptures and institutional transformations, the European realization of the previously unknown lands and peoples of the Americas raised new epistemological and ontological challenges. The European invasion of the Americas and the influx of New World wealth raised

[38] For more on this discussion of the Spanish Empire as the first global empire see Christine D. Beaule and John G. Douglass eds, *The Global Spanish Empire: Five Hundred Years of Place Making and Pluralism* (Tucson, AZ: The University of Arizona Press, 2020).

[39] Bartolomé Yun-Casalilla, 'Early Modern Iberian Empires: Global History and the History of Early Globalization', *Journal of Global History*, 17: 3 (2022), 1–23.

[40] See also Bartolomé Yun-Casalilla, *Iberian World Empires and the Globalization of Europe 1415–1668* (Basingstoke: Palgrave, 2019).

new questions about the morality of wealth and the value of labour. The initial plundering of riches from the Aztec and Inca Empires provoked suspicion of wealth that had not been worked for. The further development of the transition to capitalism raised more concerns about the morality of money and markets. The humanitarian impact of the European invasion of the Americas on Indigenous populations was immense, and initiated questioning of the morality and legality of imperialism from its inception.[41] Indigenous peoples and their societies continued to exist, and Europeans in the Americas confronted their different ways of living and different value regimes. All of these shocks led to new questioning of the moral and the material.

In the Middle Ages, with the expansion of money and markets from the thirteenth century, scholars reconsidered concepts of wealth and poverty. The mendicant orders, those who took oaths of voluntary poverty such as the Franciscans and the Dominicans, were interrogating the morality of money, markets, value, and contracts and played leading roles in the development of moral-political economic thought. In the thirteenth century, the Franciscan scholar Peter Olivi (1248–98) questioned the sterility of money, describing it as a seed that creates value, and in doing so contributed to theories of capital.[42] While focused upon explaining the moral importance of poverty, Olivi accepted that commerce was necessary and sought to lay out moral codes of conduct for regulating market practices, contributing in particular to theories of just price.[43] Medieval mendicants laid the intellectual foundations for new thinking on moral-economic order.

Medieval scholars were also reconsidering concepts of wealth and poverty in relation to newly translated Classical texts. The Dominican scholar Thomas Aquinas produced his monumental *Summa Theologica* (1265–74), which established a place for Aristotle, and his more positive view of wealth, within the framework of Christian moral philosophy. Aquinas made an important contribution to the development of medieval scholasticism. Scholastic thinkers developed new modes of moral-economic thinking, especially concerning concepts of value, and the function of money and markets.[44] For example, Aquinas thought about

[41] It is estimated that the population of the Americas declined to *c.*5.6 million by the mid-seventeenth century, a decline of around 90% from the pre-invasion population estimate of 53.9 million. Denevan, 'Native American Population in 1492', xxix. See also Massimo Livi Bacci, *Conquest: The Destruction of the American Indios*, trans. Carl Ipsen (Cambridge: Polity, 2008). The demographic impact of colonisation was uneven across the Americas. Better data sets for understanding this impact exist for settled, more densely populated areas. See also Livi Bacci, Massimo, 'The Depopulation of Hispanic America after the Conquest', *Population and Development Review*, 32: 2 (2006), 199–232.

[42] Odd Langholm, *Economics in the Medieval Schools: Wealth, Exchange, Value, Money and Usury according to the Paris Theologian Tradition 1200–1350* (Leiden: Brill, 1992); for the discussion of capital see 372.

[43] Perhaps surprisingly, Olivi argued that in times of scarcity prices should be allowed to rise to incentivise merchants to sell rather than hoard their wares; Odd Langholm, *Economics in the Medieval Schools*, 361.

[44] See also Odd Langholm, 'Scholastic Economics', in S. Todd Lowry ed., *Pre-Classical Economic Thought* (Boston/Dordecht/Lancaster: Kluwer Academic Publishers, 1987), 115–35.

the justice of prices and wages, building upon Aristotle's investigation of justice in relation to exchange.[45] Scholastic thinkers used moral concepts of poverty as a testing ground to understand the possible moralities of the market in a changing world. In the sixteenth century, the Dominican scholar Francisco de Vitoria (1483–1546) became Chair of Theology at the University of Salamanca (1525–46), and insisted upon teaching Aquinas' *Summa Theologica*, establishing what became known as the Second Scholasticism of the School of Salamanca. The School of Salamanca was influenced by medieval texts, but is now also recognised as a place of global knowledge production.[46] From the perspective of the School of Salamanca we see the way in which the juridical and political thought that developed in Europe, while influenced by traditions of Christian theology and Roman law, was also a response to dialogues and processes taking place in the Americas and Asia.

Vitoria and his pupils were responding to the moral and the material questions of their contemporary context. People associated with the School of Salamanca included Martín de Azpilcueta Navarro (also known as Dr Navarrus) (1493–1586), Domingo de Soto (1494–1560), Melchor Cano (1509–60), Luis de Molina (1535–1600),[47] and Francisco Suárez (15351600). Many of these scholars were members of mendicant orders (especially Dominican and later Jesuit). Many of these theologians also acted as advisers to the political authorities on important moral-political questions including the legitimacy of slavery and just prices in times of crisis.[48] Significantly, Vitoria addressed the urgent moral-political question of the ontological status of Indigenous Americans in his famous lecture *De Indis* (1539). School of Salamanca theologians were not only concerned with the moral-political questions raised by the Spanish arrival in the Americas but also in the morality of political economic order in Europe, especially in times of crisis.

The Spanish invasion of the Americas and extraction of its material resources gave rise to moral anxiety which helped develop new concepts of wealth and of poverty. There was fear of the corrupting nature of wealth and new ideas about how wealth itself, especially imperial wealth, could cause poverty. While the Scholastic tradition had revived the Aristotelian perspective on wealth that riches could be a virtue and benefit the public good, the imperial context in which the Second Scholastics operated also revived associations of wealth with avarice and greed which had been common in the Middle Ages. There was a general anxiety that New World wealth was upsetting Old World order. Bartolomé de Las Casas

[45] See Diana Wood, *Medieval Economic Thought* (Cambridge: Cambridge University Press, 2012 online edition), 132–3.

[46] Thomas Duve, 'The School of Salamanca: A Case of Global Knowledge Production', in Thomas Duve, José Luis Egío, and Christiane Birr eds., *The School of Salamanca: A Case of Global Knowledge Production* (Leiden: Brill, 2021).

[47] Also described as part of an 'extended School of Salamanca'.

[48] Anthony Pagden, 'The School of Salamanca', in George Klosko ed., *The Oxford Handbook of the History of Political Philosophy* (Oxford: Oxford University Press, 2011), 246–57.

(1484–1566), the former slave owner turned Dominican preacher who became a renowned advocate of the rights of Indigenous Americans, was one of those who heard Vitoria's lecture, *De Indis*. Bartolomé de Las Casas wrote a damning criticism of the violence and greed of the conquistadores in the Americas, expressing concern not only that they were greedy but that they were using New World wealth to upend the traditional socio-economic order: '[T]hey have set out to line their pockets with gold and to mass private fortunes as quickly as possible so that they can assume a status quite at odds with that into which they were born.'[49] Las Casas expressed the contemporary concern that New World wealth could subvert the Old World order.

Amid the turbulence of the long sixteenth century, scholars searched for examples of moral-political order in the Classical past to find authoritative foundations for their ideas and policy recommendations. This humanism was a natural part of the intellectual context in the School of Salamanca, whose intellectual traditions already engaged with the ideas of Aristotle. The work of Vitoria et al. referred to Plato and other Classical thinkers as well as to Christianity. Examples of moral-political order in the Classical world were essential to other humanistic scholars, such as Juan Luis Vives (1493–1540), as they sought to transform medieval Chrisitan notions of poverty and traditional practices of moral-political economy and contributed to new articulations of state power.

The Second Scholasticism of the School of Salamanca also influenced the moral-economic theorists who were concerned by what they saw as the moral-economic crisis in the Iberian Peninsula, known as the *arbitristas* (arbitrators). The collective term *arbitristas* is applied to people with different economic theories. These scholars developed economic theories that laid the intellectual foundations of quantitative monetary theory, mercantilism, and political economy. They also influenced the discourses and institutions of public finance that emerged in the seventeenth century, embedding the notion that help for the poor was part of the Crown's economic obligations.[50] Grice-Hutchinson noted that the *arbitristas* are often considered separately from the other Spanish political economists, not least since they were often ridiculed in contemporary popular culture, but that nevertheless some of these commentators made important contributions.[51] Notable *arbitristas* include: Tomás de Mercado (1525–75), Luis Ortiz, Martín González de Cellorigo, Sancho de Moncada, and Pedro Fernández de Navarrete. Moral and political beliefs about poverty that were articulated in the sixteenth and seventeenth centuries by *arbitristas* as a critique of the Spanish Crown's

[49] Bartolomé de Las Casas, *A Short Account of the Destruction of the Indies*, trans. Nigel Griffen, intro. A. Pagden (London: Penguin, 1992), 13.

[50] Anne Dubet, *Hacienda, Arbitrismo y Negociación Política: los proyectos de erarios públicos y montes de piedad en los siglos XVI and XVII* (Valladolid: Universidad de Valladolid, 2003), 43.

[51] Marjorie Grice-Hutchinson, *Early Economic Thought in Spain 1177–1740* (Indianapolis, IN: Liberty Fund, Incorporated, 2015), 154–5.

political governance of the imperial economy laid the foundations for future political economic theories that conceptualised the Spanish Empire as economically poor.

The *arbitristas* established the enduring idea that New World wealth was ruining the economy of Spain and established the paradigm of the economic decline and poverty of Spain. Writing in the second half of the sixteenth century, the Spanish *arbitrista* Luis Ortiz lamented that other nations 'treat us much worse than Indians, because in return for their gold and silver we do at least bring the Indians some more or less useful things'.[52] The *arbitristas* were concerned that the greed for New World was morally corrupting and that this moral corruption was bringing economic ruin. This was a view also articulated by the Indigenous Andean scholar Felipe Guaman Poma de Ayala (probably born around 1550, although in his writings he indicated 1535) as he made a political critique about the development of Spanish colonial rule in the Andes, the source of much New World silver.[53] He wrote: '[T]he greed for the gold and silver of the Indies caused tumult throughout Castile.'[54] Political-moral concerns about the corrupting nature of wealth and its economic effects were part of the history of the emergence of the colonial capitalist world system in the long sixteenth century.

The *arbitristas* denounced the decadence (*decadencia*) of Spanish elites and built a picture of corruption and decline. J. I. Israel asked 'whether any economic literature was ever so permeated with a sense of national deterioration, decay, and impoverishment as that of the Spanish *arbitristas*'.[55] The *arbitristas* feared luxury and greed and its implications for the poorest in society. The *arbitristas* helped create the idea that Spain was excessively poor, especially as it had wasted the gains of empire, which has had a lasting legacy on the historiography of Spain and the Spanish Empire. The *arbitristas* were not analysing the economy as a detached realm of naturally occurring phenomena but were writing specifically to critique the political economic governance of the Spanish Crown and to articulate a moral commentary. Despite this moral and political context, the rhetorical positions of the *arbitristas* often became a point of reference in later economic theories of poverty.

The *arbitristas*' notion that Spain was ruined by greed and wasting the wealth of empire became a central theory of classical political economy in the eighteenth century. In *The Wealth of Nations* (1776), Adam Smith (1723–90)

[52] Cited in Grice-Hutchinson, *Early Economic Thought*, 140.

[53] The original manuscript is in the Danish Royal Library, København, Det Kongelige Bibliotek, GKS 2232 4°, and available online, https://poma.kb.dk/permalink/2006/poma/info/en/frontpage.htm. An edited and translated version is available: Felipe Guaman Poma de Ayala, *The First New Chronicle and Good Government* (abridged), selected, translated, and annotated by David Frye (Cambridge: Hackett, 2006).

[54] Guaman Poma de Ayala, *The First New Chronicle*, 19.

[55] Jonathan Israel, 'The Decline of Spain: A Historical Myth?', *Past & Present*, 91 (1981), 170–80, 171.

observed that Spain's economic problems lay in discovering an abundance of gold and silver, whose value was linked not to other commodities but to their scarcity.[56] Smith saw New World wealth as the cause for Spain's perceived failure to invest in industry.[57] Despite being one of the founding texts of political economy, Smith's thesis was not a quantitative economic study but informed by his moral beliefs about the value of labour. Similarly, Thomas Malthus (1766–1834), another founder of classical political economy, accused Spain of wasting the gains of empire:

> No settlements could well have been worse managed than those of Spain in Mexico, Peru, and Quito. The tyranny, superstition, and vices of the mother-country were introduced in ample quantities among her children. Exorbitant taxes were exacted by the Crown. The most arbitrary restrictions were imposed on their trade. And the governors were not behindhand in rapacity and extortion for themselves as well as their master. Yet, under all these difficulties, the colonies made a quick progress in population. The city of Lima, founded since the conquest, is represented by Ulloa as containing fifty thousand inhabitants near fifty years ago. Quito, which had been but a hamlet of Indians, is represented by the same author as in his time equally populous. Mexico is said to contain a hundred thousand inhabitants, which, notwithstanding the exaggerations of the Spanish writers, is supposed to be five times greater than what it contained in the time of Montezuma.[58]

Both Smith and Malthus built the myth that the Spanish Empire was economically poor because of its poor political economic governance into the foundations of the classical political economy that emerged in the eighteenth century.

Arbitrista thought in the long sixteenth century was not confined to the Iberian Peninsula but has a global intellectual history. For example, Tomás de Mercado had spent his formative years in Mexico before travelling to Spain and his contribution to economic thought was informed by his up-close encounters with transatlantic trade. He died while journeying back to Mexico. Another key thinker associated with *arbitrismo*, the Jesuit Juan de Mariana (1536–1624), spent his formative years in Spain but worked in Rome, where he influenced thinkers from other parts of Europe, notably the Italian Jesuit Giovanni Botero (*c.*1544–1617). The moral anxiety of the *arbitristas* was a response to the emergence of the first global economy and was concerned by the relationship between the wealth of national political communities and their new global context.

[56] Adam Smith, *The Wealth of Nations: Books I–III*, (London: Penguin, 1986), Book I, 276–7.

[57] Adam Smith, *The Wealth of Nations: Books IV–V*, (London: Penguin, 1999), Book IV, 90–1.

[58] Thomas Malthus, *An Essay on the Principle of Population* (1798) (London: Penguin, 2015), 50–1.

The significance of the global context for the development of new ideas of poverty and state is best articulated in the writings of Botero. Botero was an important scholar of the Catholic Reformation and a key contributor to theories of moral-political economy and imperial state formation. He addressed the question of how a state should provide for and manage its poor by looking at examples from around the world. He was not only interested in Spain and its relation with the New World but frequently referred to the Ottoman Empire, whose economic protectionism he admired. In *The Reason of State* (*Della ragion di stato*), Botero made many references to China, where his fellow Jesuits had become established. Botero admired China for properly providing for the state institutions of justice, and for appointing ministers of justice according to status and merit. He commended its management of its vast population, its insistence on employment,[59] and its ban on begging: '[I]n China, an excellently regulated province, begging is not permitted.'[60] New moral-political thinking on poverty, states, and the proper governance of the poor were increasingly shaped by the emerging global context.

The discourse that the wealth of empire was being wasted was not so much an economic analysis as a moral denunciation. Contemporaries identified particular groups as wasting wealth, helping to create the new socio-racial hierarchies of imperial societies. For example, in a period of silver scarcity, the Spaniards in the Philippines blamed the Filipinos for spending money without much consideration.[61] During the early modern moral crisis, the immorality of waste and low productivity was used to define the emerging socio-racial inequalities of the emerging global imperial order. The proliferation of sumptuary legislation across the Spanish Empire tried to codify this hierarchy by regulating which socio-economic groups could display certain aspects of conspicuous consumption.

The sixteenth-century struggle for morality in Europe is epitomised by the contrasting visions of political order proposed by Machiavelli and the anti-Machiavellians. Machiavelli's *The Prince*, which first appeared in 1513 and was published in 1532, shook up the normative moral landscape of Europe. Machiavelli offered a new 'Mirror for Princes' that broke with medieval traditions, arguing that political success was incompatible with Christian morality. A significant strand of anti-Machiavellian ideas emerged, especially in the Iberian world.[62] Botero published his *Reason of State* in 1589 in opposition to the amoral political thought of Machiavelli and laid out his advice on how the ruler should be moral. Botero was critical of the times in which he lived: '[N]o longer is virtue

[59] Giovanni Botero, *The Reason of State*, ed. and trans. Robert Birlely (Cambridge: Cambridge University Press, 2017), 83 and 135.
[60] Ibid., 135.
[61] Birgit Tremml-Werner, *Spain, China, and Japan in Manila, 1571–1644: Local Comparisons and Global Connections* (Amsterdam: Amsterdam University Press, 2015), 143.
[62] Keith David Howard, *The Reception of Machiavelli in Early Modern Spain* (Suffolk: Boydell & Brewer, 2014).

esteemed but riches, not justice but bribes.'[63] In a passage that could be read as targeting the dangers of the immorality engendered by the wealth of empire, he wrote: '[C]ourage opens the way through difficulties to greatness but, once arrived there, it is immediately smothered by riches, weakened by culinary delights, deadened by sensual pleasures.'[64] Botero was not opposed to wealth in and of itself. He thought that generosity (liberality) was important, so that wealth should be distributed to help the poor and promote virtue.[65] He explicitly claimed that empires were ruined by the immorality wrought by luxuries: '[A]ll the great empires have been ruined because of two vices, luxury, and avarice, and avarice is born of luxury, and luxury of women.'[66] Botero here also genders the immorality of wealth wasted in luxury.

The climate of moral anxiety engendered by the juxtaposition of increased wealth and poverty was written into the visual, material, and textual cultures of the Spanish Empire. These cultural movements are known as the Spanish Golden Age (*c.*1492–*c.*1659) and Hispanic Baroque. The moral anxiety engendered by the influx of New World wealth was the signature of these cultural movements. Gold and silver arriving from the Americas was often donated to religious institutions and crafted into expressions of religious piety. The gold on display in the *retablo mayor* (central altarpiece) in Seville's cathedral is an iconic example of this.[67] Charitable-religious institutions receiving New World wealth played a key role in mediating the complex, and increasingly globalised, spiritual economy. People donated part of their wealth in the hopes of remissions of their sins and salvation in the afterlife, following Christ's message to his Apostles: 'If you want to be perfect, go, sell your possessions and give to the poor, and you will have treasure in heaven. Then come, follow me' (Matthew 19:21). Much of the artwork of the Hispanic Baroque can be found in the charitable branches of religious institutions, confraternities, and hospitals which offered spiritual and moral laundering for the wealth obtained through sin in empire. The visual and material culture of religious-charitable institutions in the sixteenth and seventeenth centuries powerfully demonstrates the moral anxiety caused by the juxtaposition of new and extreme forms of poverty and wealth. The central altarpiece in Seville's *Hospital de la Caridad* (hospital of charity) is a classic example of the Hispanic Baroque, with twisted columns of gold, and its statue, designed by Pedro Roldán (1624–99), focused upon the corporal suffering of Christ who Christians believed had died for people's sins.[68] There are paintings of charitable acts to the poor around the *Hospital de la Caridad*, all paid for by wealthy donors. The anxiety wrought by social change and the moral meaning of wealth was also clearly on

[63] Botero, *The Reason of State*, 9. [64] Ibid., 9. [65] Ibid., 30. [66] Ibid., 79.
[67] See Figure 1. The *retablo mayor* was developed between 1482 and 1564.
[68] See Figure 2. Seville's *Hospital de la Caridad* first opened its doors in the fifteenth century, and in the seventeenth century it added the opulent chapel with the golden retablo framing the statue of Christ coming down from the cross.

display in another artwork in Seville's *Hospital de la Caridad*, the painting *The Gentleman and Death* (*El caballero y la muerte*), attributed to Pedro de Camprobín (1605–74), which dwells on the mortality and fate in the afterlife that no amount of worldly riches can change.[69]

Confraternities were the key organisations of the globalised spiritual economy of the Spanish Empire, helping people around the world to mediate the moral, political, and economic struggles of the emergence of the first global imperial economy. Confraternities are charitable lay institutions, and penitential confraternities had papal bulls guaranteeing remission of sins for members. Penitential confraternities proliferated across the Spanish Empire in the long sixteenth century. Confraternities were important to the institutional fabric of the Spanish Empire, offering economic opportunities for pooling capital and moving assets as well as moral laundering for ill-gotten gains. Much of the artwork crafted from the gold and silver from the Americas into charitable-religious donations as expressions of piety and devotion and for the remission of sins is on display in confraternity chapels across Spain, the Americas, and the Philippines.[70]

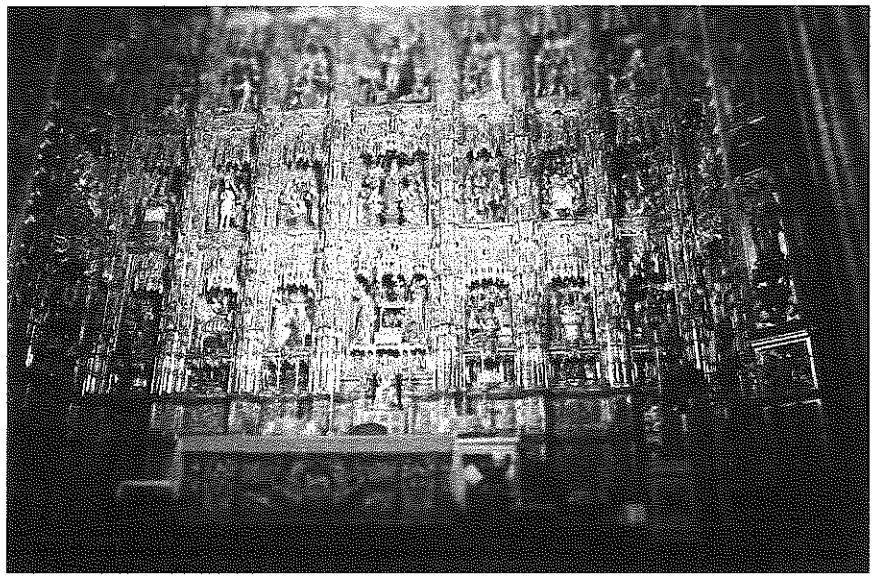

Figure 1 Retablo Mayor, Cathedral of Seville, photo credit Marco Musillo

[69] See Figure 3. See also Amanda Wunder, *Baroque Seville: Sacred Art in a Century of Crisis* (University Park: Penn State University Press, 2017) and Anne J. Cruz, *Discourses of Poverty: Social Reform and the Picaresque Novel in Early Modern Spain* (Toronto: University of Toronto Press, 1999).

[70] For example, see Figure 4, the confraternity chapel in the Church of Santa María Magdalena, Seville.

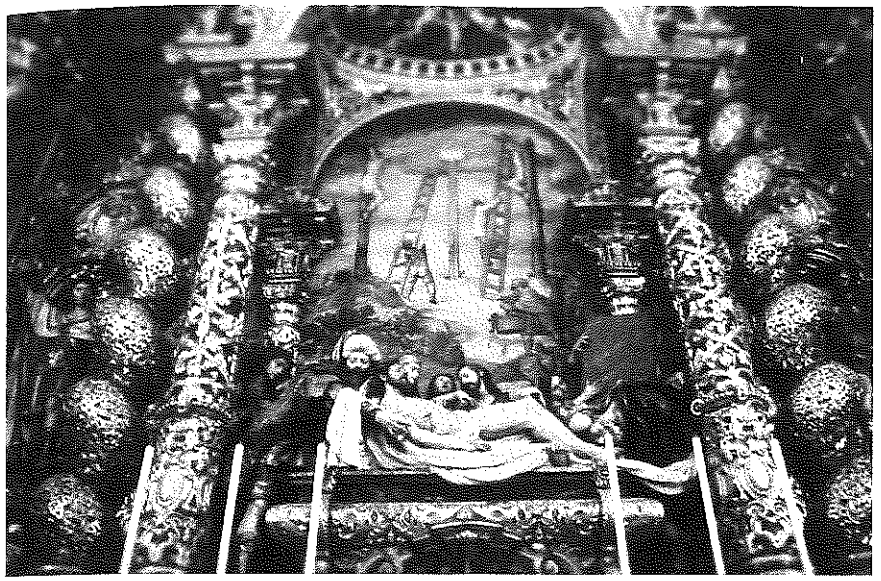

Figure 2 Retablo Mayor, Hospital de la Caridad, Seville, sculptures by Pedro Roldán (1624–1699), photo credit Marco Musillo

Figure 3 The Gentleman and Death (El caballero y la muerte) (attributed to Pedro de Camprobin (1605–1674)), Hospital de la Caridad, Seville (wikicommons image)

Figure 4 Retablo del Virgen del Amparo (made 1705–1710), Confraternity chapel in the Church of Santa María Magdalena, Seville, author's own photo

Spanish Golden Age literature often focused not on the glittering treasures of empire, as its title suggests, but on tales of satirical tales of poverty and moral deviance. This genre became known as picaresque. For example, *Lazarillo de Tormes* (anonymous), published in 1554, focused the moral maze of the lives of the poor, lives driven by necessity but framed by crime and punishment. Miguel de Cervantes (1547–1616)'s novel *Don Quixote* satirised the seeming absurdism of the chivalric ideals of the old nobility in a time of social change. This Golden Age

literature expressed anxiety about the moral crisis engendered by new forms of wealth and poverty, but it also often poked fun at those articulating theories of the link between New World wealth and Old World poverty, the *arbitristas*. Cervantes' work was intended as contextually contingent satire, but it has been used to construct the myth of Spanish economic backwardness. For example, the figure of *Don Quixote* tilting at windmills was cemented in the popular imagination, a symbol of traditional Spain's opposition to improvement.[71] More recently, revisionist historians have challenged this stereotype of the Iberian economy. For example, Bartolomé Yun-Casalilla has argued that economic growth in the agricultural sector in the sixteenth century should not be dismissed as the consequence of the Spanish practice of bringing new lands under the plough, rather than any investment in improvement, but would not have been possible without other factors, including patterns of land tenure, social structures, and ecological conditions.[72]

Spanish painters were also the first in Europe to depict the plight of the poor in painting. For example, Bartolomé Esteban Murillo's (1617–82) depicted the *sopistas*, eaters of the *sopa boba* (a broth associated with charity, also called *sopa de peregrinos*, soup for the pilgrims) for the poor as well as street children. Murillo also made many studies of religious poverty, bringing his artistic realism to his representations of the poverty of St Francis of Assisi. In the work of Murillo in the seventeenth century, we see the broad fascination with moral, religious, and socio-economic meanings of poverty that were part of the Hispanic Baroque. These cultural expressions are not necessarily evidence that there was exceptional economic poverty in the Iberian world in comparison with other places but rather that poverty was an important subject of moral and political inquiry.

The moral-political crisis of the sixteenth century contributed to the ideological transformations that made the birth of colonial capitalism possible. Elvira Vilches argued that the influx of New World wealth and corresponding economic boom of the sixteenth century led to a revolution of concepts of value away from aristocratic ethos and commercial ethics to an economic model of value.[73] Yet older beliefs about the value of political and moral value of poverty were not displaced by transformations of values taking place in the long sixteenth century but rather reformulated and rearticulated to become central to the ordering of the emerging new world of colonial capitalism.

Medieval beliefs about the moral and religious significance of poverty did not disappear in the early modern period but rather were transformed at the same

[71] Cf. Bartolomé Yun Casalilla, *Iberian World Empires and the Globalization of Europe, 1415–1668* (Basingstoke: Palgrave, 2019), 101.

[72] Bartolomé Yun-Casalilla, 'The Peninsular Economies and the Impact of Globalization', in Fernando J. Bouza Alvarez, Pedro Cardim, and Antonio Feros eds, *The Iberian World, 1450–1820* (New York and Abingdon: Routledge, 2019), 189–210, 191.

[73] Elvira Vilches, *New World Gold: Cultural Anxiety and Monetary Disorder in Early Modern Spain* (Chicago, IL: University of Chicago Press, 2010), 210.

time that they helped codify the newly emerging socio-economic, political, and moral order of the global imperial world. Across the Spanish Empire, from the bay of Naples to the Philippines, imperial wealth was on display in celebration of the religious, moral, and political importance of poverty. These seemingly paradoxical displays of poverty and wealth were particularly important in the urban nodes of empire. In Seville, the imperial hub on the Guadalquivir, the imperial wealth was visible in the material culture of charitable-religious institutions, from the developments of the cathedral to the numerous confraternity chapels that emerged to serve the different communities across the city. In Mexico City, established as the viceregal capital of New Spain in the years following the colonisation of the Aztec capital Tenochtitlan (1519–21),[74] the Franciscan bishop Juan de Zumárraga oversaw the start of the construction of the cathedral on the site of the Aztec *Templo Mayor*. The cathedral of Mexico City was continually redeveloped throughout the sixteenth, seventeenth, and eighteenth centuries with new additions of golden retablos and chapels and artwork celebrating Christian themes of the poverty and suffering of Christ and the importance of Christian charity. In Lima, established as the capital of the viceroyalty of Peru in 1542, the urban colonial landscape was dominated from the seventeenth century by the central cathedral and the Basilica of St Francis, the material culture of which blended New World forms of material wealth with themes of the moral and religious value of poverty that had developed in the Old World during the Middle Ages. In the Colombian city of Santa Fe de Bogotá, established as the capital of the New Kingdom of Granada in 1538, the Church of St Francis was built between 1557 and 1621, with a golden retablo added in the seventeenth century celebrating both the spiritual poverty of the Franciscan order and the gold of the New World. These major colonial institutions were merely the pinnacles of a broader colonial landscape of institutions such as chapels, confraternities, hospitals, and poor houses which blended the secular and the religious, the moral, the political, and the economic, and the values of wealth and poverty.

In the sixteenth and seventeenth centuries, beliefs about the religious sanctity and moral purity of poverty that had developed in the Middle Ages coexisted with new ideas about the potential immoral, contagious, dangerous, and criminal nature of poverty and the poor. Understanding this apparent paradox can tell us even more about transforming value regimes and beliefs about moral, political, and economic order than the apparent paradox of New World wealth and Old World poverty that have been fundamental to Western traditions of economic thought.

The contradictions between the religious, moral, and political valorisations of certain types of poverty and the deserving poor and the hardships and

[74] Nahautl words are written without the accents, which are seen as Spanish additions.

deprivations experienced in the emerging conditions of colonial capitalism did not go unnoticed. It is in this contradiction that the moral discourse of poverty manifested itself as a political strategy. By the seventeenth century, old ideas about the sanctity of poverty, which had been staunchly defended by the mendicant orders and the policies of the Catholic Reformation Church, were in tension with new conceptualisations of poverty as a socio-economic and moral problem and the lived experiences of the type of poverty created by colonial capitalism. While intellectuals and policy makers debated both the morality of poverty and the way it could be created by the politics of economic governance, the spiritual importance of poverty was upheld by the Church, and anyone challenging the sanctity of poverty could be investigated by the Inquisition. In the town of Oaxaca in 1642, a poor woman, Joan de Chaves, asked a rich man, Baltazar Coronel, for money.[75] Coronel asked the women, 'why do you want money'. She replied, 'because I am poor', to which he replied if you are poor you are blessed, indicating that God loves the poor. She replied, 'if god loves poverty then he loves something very dirty and a deceitful thing'. For this opposition to the sanctity of poverty Joan de Chaves was denounced to the Inquisition. The contradiction between the moral discourses of poverty and lived experiences of poverty reveals discourses of poverty for what they have always been: deep moral and political structures for governing societies defined by inequalities.

Beyond Boundaries: The Moral-Political Economy of Poverty and the Negotiation of Sovereignty

The global historiographical turn has encouraged historians to look beyond the boundaries of the analytic categories of states and empires to generate new understandings of the trans-regional dynamics driving historical change. I often use the term 'imperial state' to signpost the overlaps between projects of state and empire formation. In this book I use the terms 'Spanish Empire' and 'Spanish Crown', but I also unpack the negotiated nature of this sovereignty. As will be explained in Chapters 3 and 4, concepts of poverty and moral-political obligations to the poor were important to different iterations of sovereignty in the medieval and early modern periods. *Empire of Poverty* looks at processes of negotiation and resistance to bring into focus the more pixelated nature of sovereignty.

The long sixteenth century was a critical period for the making of the Spanish state and Spanish Empire, which from their inception incorporated a patchwork of different polities, often referred to as 'composite monarchies'.[76] The union of

[75] AGNM, Indiferente virreinal caja 5172 10251/45 inquisición caja 5172.

[76] The term composite state was first used by H. G. Koenigsberger in 1975 and later developed by John Elliott. J. H. Elliott, 'A Europe of Composite Monarchies', *Past & Present*, 137 (1992), 48–71.

the Crowns of Aragon and Castile in 1469, through the marriage of Isabella I of Castile (1474–1504) and Ferdinand II of Aragon (1452–1516), has often been seen as laying the foundations of the Spanish nation.[77] The union of the Aragon and Castilian Crowns combined not just Christian monarchies but imperial ambitions and strategies which helped lay the foundations for the world's first global empire.[78] The political ambitions of the Iberian monarchs were not bound by the shorelines of the Iberian Peninsula,[79] and the monarchs had begun to make claims across the Atlantic in the Americas from 1492. In 1516 Charles of Habsburg (1500–58) became the ruler of the conjoined Crowns of Castile and Aragon. As heir of the House of Valois-Burgundy, Charles was already the ruler of a number of territories in Burgundy (Franch-Comte), and the Netherlands, which he had inherited in 1506. In 1519 Charles was elected Holy Roman Emperor, further complicating the boundaries and political meanings of states and empires.[80] In 1556 Charles V abdicated and split his possessions between his son, Philip II (1527–98), who inherited the territories in the Iberian Peninsula, Mediterranean, and the Netherlands, and his brother Ferdinand, who became Holy Roman Emperor, ruling the lands in Central Europe. The Habsburgs descended from Charles's son, Philip II, and went on to rule Spain and its empire until the end of the seventeenth century. In this book I use the term 'Spanish Crown', but this monarchy incorporated a number of different political communities which had various levels of political and economic autonomy.[81] Between 1580 and 1640 there was a dynastic union of the Crowns of Spain and Portugal, temporarily combining the Iberian Peninsula's global empires, and further complicating the boundaries between different polities.

At the same time that the Spanish Crown was trying to negotiate and strengthen sovereign claims and governmental capacity in Europe, it was also

[77] The history of the emergence of the Spanish Crown in the fifteenth and sixteenth centuries was mythologised as part of the history of the Spanish nation state in the nineteenth and twentieth centuries. See Henry Kamen, *Imagining Spain: Historical Myth and National Identity* (New Haven, CT: Yale University Press, 2008). The continued struggles today for Basque and Catalonian independence are a reminder of the historic political complexity of the Iberian Peninsula and the thinness of the 'imagined community' of nation states.

[78] The Christian kingdoms of the Iberian Peninsula, Aragon, Castile, Portugal, Leon, and Navarre had expanded their power in the Middle Ages through the conquest of territories that Muslims had ruled since the eighth century.

[79] In addition to the Kingdom of Valencia and the Principality of Catalonia, the Crown of Aragon incorporated possessions in the Mediterranean, the Balearic Islands, Sicily, Corsica, Sardinia, and Malta, parts of southern France, and southern Italy. By the fourteenth century the Crown of Castile, House of Trastámara, had come to include the Kingdoms of Galicia and Leon, the Principality of Asturias, and the Lordship of Biscay. The Castilian Crown had conquered the former *taifa* (Arabic term for independent Muslim principality) states of Toledo, Sevilla, Cordoba, Jaen, and Murcia, and their power claims stretched into the near Atlantic to the Canary Islands by the end of the fifteenth century.

[80] He was Charles I of Spain and V of the Holy Roman Empire. In this book I will refer to him as Charles V, as he is most commonly known.

[81] Between 1580 and 1640 there was also a dynastic union of the Crowns of Spain and Portugal, temporarily combining the Iberian Peninsula's global empire.

articulating more global claims to sovereignty. Charles V's moto was *Plus Ultra* (Further Beyond), a gesture to the Habsburg's global imperial ambition. When the port city of Manila was established 1571, linking the Atlantic and Pacific worlds, the Spanish Empire could claim to be the world's first global empire. Many histories of the Spanish Empire will tell you that the Spanish 'conquered' the Aztec Empire in Mesoamerica between 1519 and 1521 and the Inca Empire in the Andes between 1532 and 1572, but focusing on conquest narratives risks overshadowing the more complicated history of the ways imperial sovereignty was often negotiated. These histories do not deny or diminish the brutalities of colonial violence but explore the legal and political processes of empire formation, the agency of colonial subjects, and possibilities for resistance.

Like the Iberian Peninsula, the Americas prior to European invasion was a patchwork of polities. Indigenous people across the Americas belonged to ethnic-linguistically diverse groups that had different political and social structures and modes of production. Pre-invasion Indigenous societies were organised into political communities of different scales, from the micro-states, known as *ñuu* in Mixtec, *yetze* in Zapotec, *cah* in Maya, *altepetl* in Nahuatl, and *ayllu* in the Andes, to large-scale empires such as those governed by the Aztec and the Inca. The Aztec Empire is also known as the Triple Alliance, a composite of the dominant Nahua city states of Mexico-Tenochtitlan, Texcoco (also spelt Tetzcoco), and Tlacopan. Prior to the Spanish conquest, the Aztec Empire was a comparatively young empire that was still consolidating its authority across its tributary micro-states, which were nested within the empire and maintained varying degrees of independence. Other city states, such as Tlaxcala, had defended their sovereignty and were at war with the Mexica (the dominant Nahua people of the geopolitical unit that became known as the Aztec Empire). Across the Americas there were long-range trade and diplomatic networks, as well as conflict, between independent polities. Writing in the early seventeenth century, the Indigenous Nahua annalist Domingo de San Antón Muñóon Chimalpahin Quauhtlehuanitzin wrote a history of Mexico that situated the arrival of the Spanish within a longer history of dynastic change and gives insights into the endurance of the socio-political structures of the *altepetl*.[82] When the Spanish arrived, they interacted with this complex political landscape; many pre-invasion political, economic, and social structures were cannibalised by the Spanish and in some ways nested within what emerged as the Spanish Empire.

The Spanish conquistador Hernán Cortés arrived in mainland Americas in 1519 and confronted the vast challenge of bringing about the colonisation of the

[82] Domingo de San Antón Muñón Chimalpahin Quauhtlehuanitzin, *Codex Chimalpahin, Society and Politics in Mexico Tenochtitlan, Tlatelolco, Texcoco, Culhuacan, and Other Nahua Altepetl in Central Mexico*, vol. 1, trans. and ed. Arthur J. O. Anderson and Susan Schroeder (Norman, OK: University of Oklahoma Press, 2016).

territory today known as Mexico. Understanding the strength of the Aztec Empire, Cortés allied with their historic enemies, the people of the independent city state of Tlaxcala. In the wake of the fall of the Aztec Empire, descendants of the city states that had allied with the conquistadores petitioned the Spanish Crown for resources in recognition of their role in establishing the authority of the Crown in the Americas. This petitioning reflected the negotiated nature of imperial sovereignty, which rested upon the moral-political economy of reciprocal obligations and duties. At the end of the sixteenth century, the Indigenous people of Tlaxcala, with the help of their mestizo interpreter Diego Muñoz Camargo (*c.*1529–99), petitioned the Crown for resources in recognition of their role in the conquest of New Mexico.[83] Diego Muñoz Camargo oversaw the compilation of the *History of Tlaxcala* (completed *c.*1584–85), based upon the Lienzo of Tlaxcala. This reminder of the long history of the Tlaxcalans and their role in conquest was a petition to the Crown to recognise the special status of the Tlaxcalans.[84] The Crown responded to these petitions from the Tlaxcalans; for example, it granted a coat of arms to the Indigenous cacique Antonio de Guevara, governor of the '*indios*' of the province of Tlaxcala, and grandson of Mixcobate Huitli [*sic*] who had played a role in the conquest of New Spain,[85] and it stipulated that a house that had been used as a fortress during the fighting should be restored to the Tlaxcalan caciques.[86] The petitions of the Tlaxcalans did not only relate to elite privileges; for example, in 1585 the Crown responded to a request for a reduction in tribute collections due to the drastic decline in population numbers,[87] and in 1589 it ordered the *Audiencia* (royal court) of New Spain to uphold justice in response to complaints made by the Indigenous people of Tlaxcala against the mayor of the province.[88] Indigenous people could strategically engage with the moral-political economy that underpinned sovereignty—the sovereign obligation to uphold justice and help the poor—to negotiate resources within empire.

As the Spanish Empire expanded, it did not simply erase Indigenous societies and transplant Spanish institutions but often either cannibalised or collaborated with existing socio-economic and political structures. The Spanish Empire engaged in various programmes of Indigenous resettlement, including *congregaciones*, *reducciones*, and *hacienda* formation, to increase imperial political economic governance and ease the extraction of Indigenous labour and goods. The Spanish Empire also (nominally) recognised Indigenous property and the social and political structures of Indigenous communities. The Spanish referred to these as '*pueblos de indios*' and constructed the notion that these constituted an

[83] For examples of the royal response to one of these petitions see AGI, Mexico, 1091, L.11, F. 106v–107r and AGI, Mexico, 1091, L.11, F. 101r–101v.
[84] *Historia de Tlaxcala*, University of Glasgow Special Collections, MS Hunter 242.
[85] AGI, Mexico, 1091, L.11, F. 226r–228v.
[86] AGI, Mexico, 1091, L.11, F. 105r–105v.
[87] AGI, Mexico, 1091, L.11, F. 204v–206v.
[88] AGI, Mexico, 1092, L.13, F. 11r–11v.

ethnically and legally distinct realm known as the '*republicas de indios*', but the realities were often more complex.[89] As the Spanish Empire cannibalised Indigenous political and economic structures, reorganised micro-states became nested within the imperial landscape.[90] While pre-invasion micro-states cannot be considered independent in the colonial era, some still retained Indigenous-led government and socio-political organisations. Organisational structures facilitated the ways in which Indigenous communities could engage with the moral-political economy of sovereignty to negotiate resources. For example, in 1531 the people of Huexotzinco, a Nahua city state that had shifted alliance from the Mexica to the Spanish during the early colonial battles, petitioned the Crown directly to denounce Crown representatives of the first *Audiencia* for their illicit extraction of taxation and other city-state resources.[91] Such petitions indicate Indigenous engagement with the reciprocal obligations of sovereignty, including the obligations for justice and protection from impoverishment of unfair taxation.

The concept of poverty played an important role in the new forms of state and empire emerging across the Iberian world from the sixteenth century. In the Iberian Peninsula in the sixteenth century, new debates about the deserving and undeserving poor resulted in new poor laws and mode of governance associated with early modern state formation. The moral distinctions of deserving and undeserving helped forge new notions of citizenship and the boundaries of the political community. The penal sentences of the new poor laws were increasingly orientated towards labour extraction, in accordance with the newly emerging economic needs of a society transitioning to capitalism and trying to assert itself as a global power. Ruth Pike has argued that 'the reappearance of penal labour in Western Europe at the end of the Middle Ages coincided with the emergence of the national state and an increase in its wealth and power'.[92] The moral discourses on poverty and corresponding poor laws and institutions helped lay the foundations of imperial society in the Americas. Indigenous Americans were invented as a new kind of poor people in order to justify the legal and political invention of their colonial subjectivity. In the Spanish Empire distinctions of deserving and undeserving, joined with Renaissance categorisations of civilised or barbaric, were used to develop the socio-racial hierarchies that came to characterise imperial society. Certain groups of Indigenous people whose lifestyles made them

[89] See Masters, Adrian, 'The Two, the One, the Many, the None: Rethinking the Republics of Spaniards and Indians in the Sixteenth-Century Spanish Indies', *The Americas*, 78: 1 (2001), 3–36.
[90] For an example of how this worked in practice see Kevin Terraciano, *The Mixtecs of Colonial Oaxaca: Ñudzahui History, Sixteenth through Eighteenth Centuries* (Redwood City, CA: Stanford University Press, 2001).
[91] Huexotzinco Codex. Huexotzinco, Manuscript/Mixed Material. https://www.loc.gov/item/mss47662-2657/. For more on this see Tania Lizeth García-Piña, 'They No Longer Belonged to the Governor, but to the king': The Politics of Being in the Huexotzinco Codex', *Colonial Latin American Review*, 31: 4 (2023), 526–48.
[92] Ruth Pike, 'Penal Servitude in Early Modern Spain: The Galleys', *The Journal of European Economic History*, 11: 14 (1982), 197–217, 199.

harder to govern—the Chichimeca in Mesoamerica, the Kalinago ('Caribs') in the Caribbean, the Mapuche in the Andes, the 'Negritos' in the Philippines—were increasingly likely to be classed as undeserving poor and criminalised. The laws and institutions that had been developed to govern the poor in the Old World were further developed to govern colonial society in the New. Poverty was a tool of political governance that formed a deep structure in imperial society and contoured its enduring inequalities.

Poverty was central to the formation of imperial society, yet the ambivalent implications of the moral and political dimensions of poverty that had been important in the medieval world were not erased by the gradual transition to modernity. On both sides of the Atlantic people understood the political value of the moral claim to poverty. The Spanish Crown had conceptualised itself in Spain and the Americas as a paternalistic authority, and the system of direct petitioning was part of the daily business of the Spanish Empire and shaped its policies and legislation. In this petition system many used the moral language of poverty for political and economic ends. In this way, people across the Spanish Empire of different socio-economic status, could participate in the moral economy of the Spanish Empire and negotiate resources.

Poverty is usually understood to have become a political subject with the birth of political economy in the eighteenth century and the development of the modern liberal state in the nineteenth century. This follows the history of political economy elaborated by Karl Polanyi in 1944 that the processes of proletarianisation and pauperisation unleashed by the industrial revolution in the eighteenth and nineteenth centuries caused a 'Great Transformation' which changed the condition of the poor, their place in the state, and the shape of the political nature of poverty.[93] For Polanyi, Britain's 1834 Poor Law represented a systemic change not only in the nature of poverty but in the relationship between the state and the poor. In the Polanyian model, the emergence of the new political economy that characterised the liberal state meant the end of moral obligations to the poor, so-called moral economies. In the 1970s Michel Foucault argued that a new form of state emerged in the eighteenth century when a new form of political economy became central to the reason of state.[94] For Foucault this new form of political economy was more concerned with economic effects than moral questions of legitimacy or rights.[95] Foucault argued that the modern state that emerged in the

[93] For example, see Karl Polanyi, *The Great Transformation*.

[94] Michel Foucault et al. *The Birth of Biopolitics: Lectures at the Collège de France, 1978–1979* (Basingstoke: Palgrave, 2008), 13–15.

[95] Foucault wrote: ' Political economy reflects on governmental practices themselves, and it does not question them to determine whether or not they are legitimate in terms of right. It considers them in terms of their effects rather than their origins, not by asking, for example, what authorizes a sovereign to raise taxes, but by asking, quite simply: What will happen if, at a given moment, we raise a tax on a particular category of persons or a particular category of goods? What matters is not whether or not this is legitimate in terms of law, but what its effects are and whether they are negative. It is then that the tax in question will be said to be illegitimate or, at any rate, to have no raison d'être'; Foucault, *The Birth of Biopolitics*, 15.

eighteenth century broke away from the paternal obligations to subjects that had been important to medieval models of sovereignty. He wrote: 'It [the state] no longer has to extend its paternal benevolence over its subjects or establish father–child relationships with them, whereas in the Middle Ages the sovereign's paternal role was always very emphatic and marked.'[96] Unlike Polanyi, Foucault did not focus on the importance of the poor in particular in the making of the liberal state in the eighteenth and nineteenth centuries but rather how the emergence of this liberal state laid the foundations for a new form of biopolitics, new technologies for governing populations. In 1991 Mitchel Dean revisited the Polanyian question of the role of pauperism in liberal state formation in the eighteenth and nineteenth centuries to trace what he called 'the constitution of poverty'.[97] Dean went beyond the discourse analysis of poverty to consider the different contexts, economic—ethical, theological, political—in which notions of poverty are produced. Dean observed that '[i]f the constitution of poverty concerns an epistemic shift, it is also implicated in a shift in modes of moral regulation and governance'.[98] Dean's work strengthened understandings of the role of the concept of poverty in the emergence of liberal states in the eighteenth and nineteenth centuries, while pointing to a more complicated relationship between the moral, political, and social economies.

While notions of poverty have been recognised as important to liberal state formation in the eighteenth and nineteenth centuries, there has been less focus on the roles played by concepts of poverty in the new forms of state and empires emerging in the long sixteenth century, especially in the Iberian context. As previously mentioned, the long sixteenth century was also a period of great transformation, with the fragmentation of the medieval institutional landscape, the gradual transition to capitalism, and the formation of the world's first global empires. Changing beliefs about poverty were central to the newly emerging political projects of the early modern world. These beliefs about poverty were important to what can be described as the moral-political economy of the Spanish Empire. The Spanish imperial state that developed in the sixteenth century conceptualised its sovereignty in a paternalistic way, with obligations to those (at least rhetorically) identifying as poor, but it also sought to govern the poor for its own ends in pragmatic and disciplinarian ways. Poverty was central to imperial state formation in the long sixteenth century.

Changes in the institutional and regulatory landscape leading to new ways to discipline and govern the poor are often thought, using the Foucauldian schema,

[96] Foucault, *The Birth of Biopolitics*, 5.

[97] Mitchell Dean, *The Constitution of Poverty: Towards a Genealogy of Liberal Governance* (London: Routledge, 1991).

[98] Dean, *The Constitution of Poverty*, 9.

to have emerged in the eighteenth and nineteenth centuries. *Empire of Poverty* focuses upon the transformations of the laws and institutions to govern the poor that were taking place in the sixteenth century in Europe and the New World. Many studies of institutions for governing and discipling the poor in Europe and the Americas have focused upon the eighteenth and nineteenth centuries, not referring to the long political history of poverty.[99] This investigation of the longer history of poverty as a political subject does not simply frustrate conventional chronologies but demonstrates the ways in which poverty was a building block of empires and colonial capitalism.

During the long sixteenth century, notions of poverty encapsulated beliefs about the moral, political, religious, and economic milieus. Sixteenth-century discourses of poverty concerned perceptions about the relative scarcity, sufficiency, or abundance of resources, the relative deserving or underserving nature of different social groups, and labour of the poor, and the just distributions of resources. These changing beliefs about poverty helped define the political projects of the early modern world, contributing in particular to the development of proto-racial, socio-economic hierarchies in the imperial context.

Empire of Poverty focuses on the example of the Habsburg Empire in which we see that poverty was already a political subject in the sixteenth century, and that the political performance of protecting the poor was central to the politics of empire. We also see that the traditional moral economy was already fragmenting in the sixteenth century as new notions of deserving and undeserving poor emerged and were mapped on to the new socio-racial hierarchies of empire and its evolving labour needs. In this book the term moral-political economy is used to refer to the set of moral beliefs concerning the ideal economic, political, and social order. In the Spanish Empire this moral-political economy was informed by changing religious beliefs about the place of the poor in society, obligations of charity, and the morality of labour, the gendered politics of paternalism, and renewed interest in the values of the Classical world which had defined the Renaissance. Critical transformations in the moral, political, and economic fabric of the medieval world were taking place in the sixteenth century, but this did not lead to a transition from an old to a new world order but rather a world shaped by dialogues with imagined pasts and anxieties concerning the present. Throughout these transformations beliefs about the moral and the political continued to shape how people conceptualised the material.

The term 'moral economy' was coined by Edward Palmer Thompson (1924–93) in 'The Making of the English Working Class'.[100] E. P. Thompson

[99] For example see Silvia Marina Arrom, *Containing the Poor: The Mexico City Poor House, 1774–1871* (Durham, NC and London: Duke University Press, 2000).

[100] E. P Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', *Past & Present*, 50: 1 (1971), 76–136.

argued that a profound socio-economic transformation took place in the eighteenth and nineteenth centuries, with the breakdown of a traditional 'moral economy' as society transitioned towards a less protective and harsher form of capitalism. For Thompson, the 'moral economy' consisted of a popular moral consensus among the poor of what constituted legitimate and illegitimate economic practices, for example in the marketing, milling, and baking of bread, a series of customary rights and protections, and a paternalistic model of governance which was obligated to maintain minimum thresholds of sufficiency for members of the political community.[101] This was supposedly replaced in the eighteenth and nineteenth centuries by a political economy which saw poverty as a political rather than a moral subject and viewed the poor in terms of their economic value. Thompson's moral economy thesis has been criticised for romanticising earlier phases of capitalism as softer and kinder. Although he never used the term, Polanyi had also drawn attention to relations between morality and economics in *The Great Transformation*, arguing that economic beliefs and practices were 'embedded' in societal institutions and values. From its Polanyian antecedents to its Thompsonian articulation and beyond, the concept of the moral economy has had multiple afterlives.[102] While there have been different interpretations and uses of the term 'moral economy', the term has tended to refer to the way in which moral beliefs have shaped economic ideas and practices and this book will deepen understandings of the long history of relationships between moral and economic beliefs and practices. This book uses the term moral-political economy to point towards the continuum between concepts of the moral, political, and economic, and to challenge theories of historical change over time that have seen moral economies replaced by political economies. Both Polanyi and Thompson focused on the great transformation taking place in the eighteenth and nineteenth centuries with the emergence of industrial capitalism, and gave a sense that a 'moral economy' was replaced by a political economy. *Empire of Poverty* focuses on the transformations taking place in the sixteenth century with the emergence of colonial capitalism and focuses on the concept of poverty to bring into focus the complex ways in which the moral, political, and economic have overlapped. In doing so it brings into focus the interactions between moral-political beliefs and material processes in the formation of colonial capitalism and the inequalities that came to define the global imperial world order.

The first three chapters offer intellectual histories of the career of the concept of poverty in the Spanish Empire. Chapter 1 explores how moral beliefs about how New World wealth, especially wealth that had not been produced through

[101] Ibid., 79–80.

[102] For an overview of this see Jeremy Adelman, 'Introduction: The Moral Economy, the Careers of a Concept', *Humanity*, 11: 2 (2020), 187–92.

labour, caused poverty, and how this idea influenced the development of theories of political economy. In doing so it highlights the ways in which economic theories of poverty have moral foundations. This sheds new light on the way we read histories of poverty, not only as economic stories but as moral-political ones. Chapter 2 points to the ways in which, prior to European invasion, Indigenous people had their own value regimes, moral economies, and technologies of abundance, but came to be classified as poor by Europeans. It indicates that the classification of Indigenous people as poor was a moral-political move that played an important role in the theoretical construction of empire. It maps how the concept of poverty helped lay the foundations for the structures of inequality that came to characterise the world of colonial capitalism. Chapter 3 examines the ways in which European elites tried to develop more expansive theories of sovereignty in the long sixteenth century in the context of the moral-political crises of the 'discovery' of the New World and its peoples as well as constitutional problems in Europe. It begins with a summary of the place of justice to the poor in medieval concepts of sovereignty, and how the Iberian constitutional crisis of the *comunero* revolt in the sixteenth century taught the first Habsburg monarch in Spain that the sovereign obligations to provide justice and welfare were more than rhetorical. It explores how moral-political concepts of poverty and obligations to care for the poor and uphold justice were part of newly emerging theories of global sovereignty, and that this resulted in a more negotiated nature of sovereignty than is usually acknowledged.

The next three chapters focus upon how the moral-political economy and the changing concept of poverty worked in practice as the laws and institutions of state and empire developed. Chapter 4 examines the role of changing moral-political concepts of poverty in early modern state formation in the long sixteenth century. It traces the reformation of poor relief in the Habsburg Empire and how the proliferation of poor laws led to the expansion of state institutions. It examines how changing moral-political beliefs about poverty and the poor helped develop new tools of governance and ways of accessing labour. It explores how new moral differentiations between the deserving and undeserving poor helped shape new definitions of citizenship and belonging as well as new ways to identify and punish 'deviants'—especially those with itinerant lifestyles. These moral discussions of poverty helped lay the foundations for regimes of inequality and biopolitical governance. The history of these long-sixteenth-century transformations do not fit the pre-existing historiographical routines of the secularisation narratives which have tended to characterise histories of poor relief and state formation. Spanish political institutions were deeply religious, and the Spanish state took on a new role in religious institutions as part of its global expansion (known as *patronata real*). In mapping poor relief and state formation in the sixteenth century, this chapter demonstrates how poverty politics, informed by both historic and changing beliefs about poverty, were central to the making of a new

political order. Chapter 5 examines how Indigenous peoples were invented as poor in legal terms as part of the legal-political production of colonial society. It explains how moral differentiations of poverty that had been developed as part of the poverty debates in Europe were used to categorise Indigenous people in the Americas. In this way poverty was a key concept in the construction of imperial society and its racial inequalities. Chapter 6 explains how the moral-political economy of poverty worked in practice across the Spanish Empire. It examines the political governance of economic practice, including the regulation of markets, price fixing, and taxation, and how the discourse of protecting the poor was central to these moral-political economic practices. It examines the sovereign provision of welfare in practice, and how this was part of the moral-political economic governance of the global Spanish Empire. It further examines how colonial subjects navigated the moral-political economy of the Spanish Empire to negotiate resources and spheres of autonomy across imperial society. In particular, it focuses on the rich archival documentation illustrating how Spanish subjects used the moral-political economy of poverty to negotiate resources in empire and how this enforced imperial inequalities. For example, Iberian subjects might plead poverty to seek exemptions from tariffs for importing enslaved peoples. This focus on the moral-political economy in practice shows how the system structured gendered and proto-racial inequalities and how this system was navigated in resistance to these inequalities.

Empire of Poverty: The Moral-Political Economy of the Spanish Empire. Julia McClure, Oxford University Press.
© Julia McClure 2024. DOI: 10.1093/9780198933908.003.0001

1

New World Wealth and Old World Poverty

The Making of an Economic Legend

The Spanish Empire has been credited with establishing the silver production and the trans-oceanic trade connections that formed the bases of the world's first global economy, as American silver was transported across the Pacific to the port of Manila and used to purchase Asian goods for European (and American) consumers. From Hernán Cortés plundering the riches of the Aztec Empire, Francisco Pizarro looting the Inca Empire, the hunt for *El Dorado* which led Gonzalo Jiménez de Quesada to the Muisca people of Lake Guativita in the Colombian Andes, to the discovery of the silver mines of Potosí and Zacatecas and the establishment of the Manila Galleon treasure fleets, the Spanish Empire has been depicted as dripping in silver and gold. At the same time, Spain has been associated with poverty, economic underdevelopment, and backwardness as well as immorality. This chapter explores the myths and legends around New World wealth and Old World poverty and how these moral accounts of wealth and poverty became part of theories of political economy.

The story of the Spanish Empire, the apparent paradox of a society that taps a vein of untold riches but ends up poor, has captured imaginations and attracted scholarly attention for centuries. This impression of a society impoverished by riches was developed by contemporary economic forecasters known as the *arbitristas*, who were interested in the moral implications of money and markets in the sixteenth and seventeenth centuries, and the early political economists of the eighteenth century, who were interested in particular in the impact of wealth that had not been generated by labour. Following the intellectual foundations laid by the *arbitristas* and other political economists, the Spanish Empire became a reference point for economic historians developing global historical models. The moral narrative that Spain was impoverished through wasting its imperial wealth has influenced many economic theories. The social-economic historian Fernand Braudel, who did so much to lay the intellectual foundations of global history, wrote that 'instead of using their silver at home to set up new and profitable enterprises, as the Fuggers used the silver from their Schwaz mines at Augsburg, the Spanish Habsburgs let themselves be drawn into foreign expenses, already

considerable in the time of Charles V and quite extraordinary under Philip II'.[1] The perception that Spain wasted its imperial revenue and became poor became an established historiographical routine. In his influential *The Wealth and Poverty of Nations*, the Harvard economic historian David Landes summarised that 'the nations that started it all [the Columbian exchange, and global empires], Spain and Portugal, ended up losers'.[2] Landes echoed both the *arbitrista* and classical political economic narrative tropes that Spain had wasted its imperial wealth on 'pomp and pretention' and war, rather than investing profits,[3] and because its gains were 'unexpected and unearned'.[4] Landes summarised that 'Spain, in other words, became (or stayed) poor because it had too much money', while other nations laboured and invested.[5] This historiographical association of the Spanish Empire with poverty has been shaped by the moral anxiety wrought by the dawn of a new economic age characterised by new forms of wealth and poverty. The moral anxieties that New World wealth was creating Old World poverty, which began in the sixteenth century, established traditions of economic thought that still influence how some economists and economic historians view global economics today.

The notion that the unexpected windfall of New World silver stunted the economic development of Spain and increased poverty became a staple of classical political economy in the eighteenth century. Adam Smith argued that the historic rise in the price of commodities was damaging since it was caused not by an increase in value resulting from the improvement of production but the devaluation of silver due to an abundance of a commodity whose value was created by scarcity.[6] Smith helped establish the idea that Spain was an economic failure, because it exported wealth which didn't increase real value while it failed to invest in industry and develop its colonies as markets for importing goods produced in Spain.[7] Smith argued that the real wealth of nations was generated not by windfalls of precious metals but by land and labour.[8] New World wealth was seen as economically detrimental since it had not been worked for. Smith wrote:

> this increase of the quantity of those metals, however, has not, it seems increased that annual produce, has neither improved the manufactures and agriculture of the country, nor mended the circumstances of its inhabitants. Spain and Portugal, the countries which possess the mines, are, after Poland, perhaps, the two most beggarly countries in Europe…those countries, however, are poorer than the greater part of Europe.[9]

[1] Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, vol. 1, trans. Siân Reynolds (Berkley CA: University of California Press, 1995), 478–9.
[2] David Landes, *The Wealth and Poverty of Nations* (New York: Norton & Company, 1998), 171.
[3] Ibid., 169. [4] Ibid., 171. [5] Ibid., 173.
[6] Adam Smith, *The Wealth of Nations: Books I–III*, (London: Penguin, 1986), Book I, 348–9.
[7] Ibid., Book III, 519. [8] Ibid., Book I, 348. [9] Ibid., Book I, 346.

In the canon of classical political economy, Spain became synonymous with poverty, a poverty supposedly caused by imperial wealth which led to underinvestment in improvement. Smith commentated: 'Spain and Portugal were manufacturing countries before they had any considerable colonies. Since they had the riches and most fertile [colonies] in the world, they both ceased to be so [manufacturing countries].'[10] In Smith's mind there was no doubt that New World wealth caused Spain to decline economically. His analysis was informed by belief that real value was generated by land and labour.

The idea that the Iberian world was exceptionally poor has permeated many economic histories. In the next section, we will question some of the theories for the supposed poverty of the Iberian economy and point to the complexities and diversities of the Iberian economy that are often overlooked by economic models grounded in classical liberal economic theory. We will then explore the debates about New World wealth and Old World poverty, tracing how the idea of American silver and fiscal crisis emerged in the moral writings of the *arbitristas*, developing into late Scholastic monetary theory, and how the 'Hamilton thesis', named after the early twentieth-century North American economic historian Earl J. Hamilton, further developed this economic model. The chapter ends with a reflection on how this moral tradition of economic thought continues to influence theories of underdevelopment today.

American Silver and Fiscal Crisis?

Prior to European global conquest, in the Western European Renaissance imagination the world was full of abundant luxury resources which would enrich those who could find it. The New World had already been imagined a source of riches for the Old World, long before it was discovered. The Italian cosmographer Paolo Toscanelli (1397–1482) wrote in a letter in 1474: 'For that island [Cippangue] is most fertile in gold, pearls, and gems, and they cover the temples and royal houses with solid gold.'[11] Columbus carried this letter with him on his first voyage across the Atlantic, inspiring his imagination as to the riches he would find on his voyage. When Columbus arrived on the shores of the Caribbean, he expected to find gold. In his logbook he wrote: 'He [Columbus] believed that they were very near its source and that our Lord would point out where the gold had its origin,'[12]

[10] Adam Smith, *The Wealth of Nations: Books IV–V*, (London: Penguin, 1999), Book IV, 193.

[11] Toscanelli's Letter to Fernam Martins (1474), English Translation from the *Raccolta Colombiana*, Appendix A, Vignaud, Henry, *Toscanelli and Columbus: The Letter and Chart of Toscanelli* (London: Sands & Co, 1902), 275–92, 291.

[12] Christopher Columbus, *Journal of the First Voyage of Columbus*, in Christopher Columbus and Clements R. Markham eds, *The Journal of Christopher Columbus (during His First Voyage, 1492–93) and Documents Relating to the Voyages of John Cabot and Gaspar Corte Real* (Cambridge: Cambridge University Press, online edition 2010, first published in 1893), 13–194, 116.

but he was disappointed in his quest to locate meaningful gold deposits. Columbus was soon desperate to locate sources of wealth which would pay dividends on the cost of the Crown's investment in the voyages; he even suggested enslaving the Indigenous peoples, a proposal rejected by the Spanish monarchs. Overestimations of the potential financial gains of imperial expansion and underestimation of its costs, resulting in deficits, set a precedent that would define the Crown's economic relationship with its expanding global empire.

Colonial plundering of the Aztec and Inca Empires generated initial windfalls of treasures for the Crown in the sixteenth century, but the discovery of gold and silver mines created more sustainable revenue streams. Silver mines were found in Hidalgo, Zacatecas (in 1546), in Guanajuato in the 1540s, and in Antequera in the 1570s. In 1545 the silver mines of Potosí were found at 15,000 feet in the Andes (present-day Bolivia). Potosí, also known as *Cerro Rico* (rich mountain), was established as a mining town in 1545. In the second half of the sixteenth century, Potosi produced over half of the world's silver.[13]

It is estimated that between 1500 and 1800, Latin America produced 150,000 tons of silver, about 80% of global production at that time.[14] This global history of silver can be broken into different phases: from the 1540s to the 1640s, when silver came mainly from Potosí and Japan, and from 1700 to 1750, when silver came mainly from Mexico. Flynn and Giraldez have used this periodisation of the silver cycles to show that the first global economy began not in the eighteenth century but in the sixteenth century when 'the entire world was entangled in a global silver web'.[15] Others have questioned how significant the impact of silver was in the sixteenth century; Fernand Braudel, for example, had argued that 'the sixteenth century did not loose unprecedented riches on the world'.[16]

The precise quantity of precious metals that Spain extracted from the Americas in the sixteenth and seventeenth centuries is debated,[17] but the general trends of the peak and decline of silver imports are accepted. Hamilton estimated that between 1500 and 1650 16,886 tons of silver and 181,333 of gold were extracted.[18] Patrick O'Flanagan estimates that, by the mid-seventeenth century, 250,000 tons of silver had been extracted from the Americas and imported to Spain, while gold

[13] Harry E. Cross, 'South American Bullion Production and Export, 1550-1750', in *Precious Metals in the Later Medieval and Early Modern Worlds*, ed. J. F. Richards, (Durham: Carolina Academic Press, 1983), 397–424, 404, Cross cited in Dennis O. Flynn and Arturo Giráldez, 'Born with a "Silver Spoon": The Origin of World Trade in 1571', *Journal of World History*, 10 (1995), 201–21, 209.

[14] Ward Barrett,'World Bullion Flows, 1450-1800', in *The Rise of Merchant Empires: Long-Distance Trade in the Early Modern World, 1350 1750*, ed. James D. Tracy (Cambridge: Cambridge University Press, 1990), 224–54, 237. and Cross, 'South American Bullion', 397, summarised in Flynn and Giráldez, 'Born with a "Silver Spoon"', 202.

[15] Dennis O. Flynn and Arturo Giráldez, 'Cycles of Silver: Global Economic Unity through the Mid-Eighteenth Century', *Journal of World History*, 13: 2 (2002), 391–427, 405.

[16] Braudel, *The Mediterranean*, vol. 1, 452.

[17] It is difficult to quantify how much was 'lost' to smuggling, which although punishable by death still occurred.

[18] Earl J. Hamilton, *American Treasure and the Price Revolution* (Cambridge, MA: Harvard University Press, 1934), 42.

imports reached a peak of 200,000 kilos in the last decade of the sixteenth century.[19] The period from 1551 to 1600 was the heyday of the 'Spanish Treasure Fleets'. The import of gold and silver from the Americas peaked at the end of the reign of Philip II. The import of gold and silver began to decline at the start of the seventeenth century, decreasing further in the period from 1631 to 1660,[20] but the acuteness of this decline has also been questioned.[21]

The Spanish Crown claimed a royal fifth (*quinto*) of all imperial spoils. Silver was a royal monopoly, and all bullion had to be administered at the royal assay offices. In 1503 the House of Trade (*Casa de Contratación*) was established in Seville to control the royal monopoly. When silver imports peaked during the reign of Philip II, the amount that bullion contributed to Crown revenue also peaked at nearly one third of the Crown's revenue before declining.[22] The treasury also benefited from the tax on exports (*almojarifazgo*), the tributary payments of the Indigenous Americans, fines and confiscations. The Spanish imperial state never became a rentier state, as Vassberg summarises: '[G]old and silver from Mexico and Peru were a windfall for the royal treasury, but the sums derived by the Spanish crown from the Americas comprised a small proportion of its total revenue, rising from about 11% in 1554 to some 20% in 1598' and 'most of the rest was paid, directly or indirectly, by the Castilian peasant'.[23] When considering the economic impact of New World wealth on the fate and fortunes of the Spanish Empire, it is worth remembering that even during the peak of the silver boom this revenue stream contributed less than one third of total income.

Spain has been depicted as wasting its imperial gains on costly wars, and empirical studies have verified this expenditure,[24] but comparative models of the rise of European fiscal states may overshadow some of the complexities of Iberian political economy in the early modern period. The Spanish monarchs frequently defaulted on their debt and declared bankruptcy.[25] At the same time the Spanish Crown was committed to fighting the Dutch War of Independence (1568–1648), also known as the Eighty Years' War. It funded conflict with the Ottoman Empire, most famously in the Battle of Lepanto in 1571, and defence of vessels in the

[19] Patrick O'Flanagan, *Port Cities of Atlantic Iberia, c.1500–1900* (Abingdon: Routledge, 2016, first published 2008), 52.
[20] Hamilton, *American Treasure and the Price Revolution*, 36.
[21] Henry Kamen, 'The Decline of Spain: A Historical Myth?', *Past and Present*, 81: 1 (1978), 24–50, 40.
[22] Tortella and Comín (2001, 141), cited in Mauricio Drelichman, 'The Curse of Moctezuma: American Silver and the Dutch Disease', *Explorations in Economic History*, 42 (2005), 349–80, 352.
[23] David Vassberg, *Land and Society in Golden Age Castile* (Cambridge: Cambridge University Press, 1984), 219.
[24] Hamilton, *American Treasure and the Price Revolution*, 44. See also Stanley J. Stein and Barbara H. Stein, *Silver, Trade, and War: Spain and America in the Making of Early Modern Europe* (Baltimore, MD: Johns Hopkins University Press, 2003).
[25] Philip II declared bankruptcy in 1557, 1560, 1569, 1575, and 1596. There were further defaults and/or failure to service debt in the Habsburg period in 1607, 1627, 1647, 1652, 1660, 1662, and 1688, and this continued into the Bourbon period.

Mediterranean was an ongoing cost. It was also in conflict with Protestant England, resulting in the expensive loss of the Spanish Armada in 1588. The Crown levied a new tax, the *servicio de millones*, to compensate for the loss of the Armada, indicating that in the sixteenth century the Crown did not automatically use American silver for military expenses. The Crown may have increased its dependence on American silver to meet the costs of war in the seventeenth century and this could be read as part of the general crisis of the seventeenth century, but there were also particularities within the Iberian political economic landscape. The *cortes* (local parliaments) were able to block several proposed new forms of indirect taxation in the sixteenth and seventeenth centuries, including a flour tax (1570, and other occasions), the rural banks scheme (1623), the salt tax (1632), the 5% on real estate rents (1642), and the '*medio universal*' (1655).[26] Further, Mauricio Drelichman has produced an important revisionist account of the Habsburg Crown's debt and defaults in the sixteenth and seventeenth centuries, arguing that, thanks to both American silver and the Castilian economy, 'Philip II was not poor',[27] and that defaulting was rather a way of maintaining sustainable debts. Drelichman and Hans-Joachim Voth also argue that income rose as well as debt in the sixteenth century, Castile's fiscal position was healthier than commonly thought, and Spain should not necessarily be thought of as a paradigmatic case of economic failure caused by 'military overstretch' as it has often been represented in comparative histories of the rise of fiscal states in Europe.[28]

While New World wealth was historically seen as the cause of Spain's fiscal woes, especially the price revolution, it should be noted that the sixteenth century was a period of relative currency stability. It seems that the Spanish Crown's finances were aided by this wealth in the sixteenth and seventeenth centuries,[29] and made it possible for Castile to maintain monetary stability, until 1609 at least.[30] The problems increased in the seventeenth century. *Vellón* (a form of currency often used by the poor) was devalued by 50% in 1628 and by 25% in 1642. The devaluation of currency made life harder for the poor in a variety of ways; the currency lost value, making it made it harder to sustain life through begging and for charities to make ends meet.[31] The impact of currency on landscapes of

[26] Listed in I. A. A. Thompson, 'Crown and Cortes in Castile, 1590–1665', *Parliaments, Estates & Representation*, 2: 1 (1982), 29–45, 36.
[27] Mauricio Drelichman, *Lending to the Borrower from Hell: Debt, Taxes, and Default in the Age of Philip II* (Princeton, NJ: Princeton University Press, 2014), 20.
[28] Drelichman Mauricio and Hans-Joachim Voth, 'The Sustainable Debts of Philip II: A Reconstruction of Castile's Fiscal Position, 1566–1596', *The Journal of Economic History*, 70: 4 (2010), 813–42, 836.
[29] O'Flanagan, *Port Cities of Atlantic Iberia*, 52.
[30] Bartolomé Yun-Casalilla, 'Introduction', in Bartolomé Yun-Casalilla, Patrick K. O'Brien, and Francisco Comín Comín eds, *The Rise of Fiscal States: A Global History, 1500–1914* (Cambridge: Cambridge University Press, 2012), 1–36, 7.
[31] Hamilton, *American Treasure and the Price Revolution*, 69.

poverty were regionally varied; the semi-subsistence agricultural practices meant that Castilian peasants were less vulnerable to price fluctuations than their urban counterparts.[32]

Imperial revenues were spent on developing the Spanish Empire. Flynn and Giraldez argue that 'revenues from overseas mines provided the fiscal foundations for the Spanish empire'.[33] Imperial revenues were used to help fund the expansion of conquest in the Americas,[34] and after the 1560s also in the Pacific. The accounts of the House of Trade demonstrate that imperial revenues were spent on the defence of empire, especially its ports and trade convoys. The costs of empire stretched the Crown's finances, as it sought to purchase ships, munitions, and other materials for the expeditions. The Spanish colonisation of the Philippines was thought to have cost more revenue than it generated, an impression recently revised by Flynn and Giraldez, who argued that 'the Spanish state enjoyed substantial net financial benefits from the Philippines'. Flynn and Giraldez estimate the profit to be 218,415 pesos per year in the seventeenth century, with 125,000 pesos of this collected in the Americas as 'indirect profit'.[35] Flynn and Giraldez argue that 'no entity profited more from the silver industry than did the Spanish Crown, which received up to 40 percent of the non-smuggled treasure shipped into Spain'.[36] However, this income from the Philippines helped Spain to defray costs for competing against the Dutch in Asia,[37] and so was not necessarily generating profit for the Crown.

Many intellectuals in the sixteenth and seventeenth centuries were concerned that Spain, far from being enriched by wealth gained from the colonisation of the New World, was being impoverished by it. Part of this fear came from moral anxiety, and the moral bankruptcy wrought by imperial gains. As one contemporary put it, 'what is the use of gaining the whole world, and losing the soul for it'.[38] Imperial wealth engendered moral anxiety in Spain. The anxiety was not simply the medieval religious view that wealth and consequential luxury were corrupting (although these concerns were expressed) but also that imperial wealth was creating new forms of poverty. Already in the sixteenth century, Spanish contemporaries feared that, while they were extracting wealth from their colonial subjects in the Americas, they themselves were losing this wealth like colonial subjects in Europe. One local parliamentary record recorded the complaint that 'Spain had

[32] David E. Vassberg, *Land and Society in Golden Age Castille* (New York: Cambridge University Press, 1984), 184.
[33] Flynn and Giráldez, 'Born with a "Silver Spoon"', 210.
[34] Hamilton, *American Treasure and the Price Revolution*, 45.
[35] Dennis O'Flynn and Arturo Giráldez, *Spanish Profitability in the Pacific: The Philippines in the Sixteenth and Seventeenth Centuries* (London, New York: Routledge, 1998), 25.
[36] Ibid., 26. [37] Ibid., 30.
[38] Martín de Azpilcueta, 'Commentary on the Resolution of Money', (the original edition is from 1556) in Stephen J. Grabill ed., *Sourcebook in Late-Scholastic Monetary Theory* (Lanham: Lexington Books, 2007), 18–107, 61–2.

become an Indies for the foreigner' (*Cortes* 1548).[39] The concern that Castile was becoming '*las Indias de Flandes*' was often repeated by contemporaries.

Those articulating anxiety concerning how New World wealth was causing poverty in Spain were collectively known as the *arbitristas*. The *arbitristas* had a number of different theories of how New World wealth caused poverty in Spain. Some expressed concern that American treasure flowed out of Spain, leaving it impoverished. This led some to advocate for mercantilist policies like bans on the exportation of currency. Some thought that influx of New World silver was causing inflation; these thinkers developed what became known as late Scholastic monetary theory, which lay the foundations for quantitative monetary theory. Others thought that the influx of New World silver led to underinvestment in industries (agricultural and artisanal) due to windfall wealth, and this lay the foundations for theories of underdevelopment.

Late Scholastic Monetary Theory and the Bodin-Hamilton Thesis

Late scholastic monetary theorists Martín de Azpilcueta (1491–1586) and the Spanish Dominican Tomás de Mercado (1525–75) expressed concern that the influx of New World silver was responsible for price increases, and developed the foundations for the quantity theory of money, the theory that prices fluctuate according to the amount of money in circulation.[40] Azpilcueta was a canon lawyer who taught at the University of Salamanca and contributed to moral, political, and economic theories. Explaining why money increases or decreases in value, Azpilcueta wrote: '[T]hat happens when there is great lack or need or an abundance of it. It is worth more where and when there is a great lack of it than where there is a great abundance.'[41] For Azpilcueta, this explained why Spain experienced inflated prices for goods:

> the rest being the same, in those countries where there is a great lack of money, less money is given for marketable goods, and even for the hands and work of men than where there is an abundance of it. This we can see from experience in France where there is less money than in Spain. Bread, wine, wool, hands, and work cost less. Even in Spain, when there was less money, much less was given

[39] Often cited; see for example B. N. Madrid, 9372, f 41, cited in Braudel, *The Mediterranean*, vol. 1, 478.
[40] Rudolf Schüssler notes that influx of American precious metals did not cause the emergence of the quantity theory of money but presented the opportunity to develop a theory that was already emerging; Rudolf Schüssler, 'The Economic Thought of Luis de Molina', in Alexander Aichele and Mathias Kaufmann eds, *A Companion to Luis de Molina* (Leiden: Brill, 2013), 257–88, 276.
[41] Martín de Azpilcueta, 'Commentary on the Resolution of Money', 70.

> for saleable goods, and the hands and work of men, than later when the discoveries of the indies covered it in silver and gold. The cause for this is that money is worth more where and when there is a lack of it than where and when there is an abundance. That which some say, that the lack of money reduces the price of everything, is born of the fact that its more than sufficient increase makes everything appear much lower, just as a small man next to a very tall man appears smaller than if he is next to his equal.[42]

Azpilcueta's writings on money and usury were part of his broader work to provide practical advice to everyday moral and material problems through confession manuals. Wim Decock observes that Azpilcueta's work was an attempt to adapt the scholastic framework 'to the new circumstances that merchants and markets faced, especially in the wake of the discovery of the Americas and the emergence of trading and financing practices on the scale of global empire'.[43] Decock also notes that Azpilcueta's works were popular in the Americas as well as other parts of Europe.

Late scholastic monetary theorists' quantity theory of money was further developed by Jean Bodin (1530–96) in his *Réponse au paradoxe de monsieur malestroit* (1568). These early monetary theorists developed the notion that American silver generated an overabundance of money which caused inflation which increased poverty. The *arbitristas* saw the way that New World wealth was transforming Spain's economy not only as an economic but also a moral crisis. The *arbitristas* expressed anxiety about the morality of wealth which had not been worked for, and about the increase of debt and credit networks. Many of the scholars that came to be classed as *arbitristas* were part of the School of Salamanca and analysed economic changes through a moral lens. The monetarists of the School of Salamanca were concerned that the increase in precious metals was not increasing wealth, and may even disincentivise work.[44]

There was concern that inflation driven by imperial wealth could disrupt the moral-political order. During the period thought of as the price revolution, currency speculators could be charged with galley service.[45] Moral concerns for how the economy functioned in the new imperial context mattered.

In 1934 Hamilton set out to quantify the amount of bullion extracted from the Americas and imported to Spain and its role in causing the fiscal crisis of the price revolution in the sixteenth and seventeenth centuries which brought about

[42] Ibid., 70.

[43] Wim Decock, 'Martín de Azpilcueta', in Rafael Domingo and Javier Martínez-Torrón eds, *Great Christian Jurists in Spanish History* (Cambridge: Cambridge University Press, 2018), 116–33, 124.

[44] See also Louis Baeck, *The Mediterranean Tradition in Economic Thought* (London: Taylor & Francis, 1994), and Marjorie Grice-Hutchinson, *The School of Salamanca: Readings in Spanish Monetary Theory, 1544–1605.* (Oxford: Clarendon, 1952).

[45] Hamilton, *American Treasure and the Price Revolution*, 100 and 114.

the economic decline of Spain.[46] This developed the thesis of a causal link between American treasure and the price revolution which had been observed by Jean Bodin.[47] Hamilton argued that the monetary problems caused by New World played an important role in the economic decline of Spain in the seventeenth century. Hamilton produced a pioneering empirical study of the relationship between American wealth and economic problems in Spain, but his use of the petitions of the *cortes* also continued the narrative of crisis and decline that had been established in the sixteenth and seventeenth centuries by these petitions and the *arbitristas*. For example, Hamilton reported that in 1617 representatives of the Crown lamented that, when the American silver reached Spain, 'it immediately goes to foreign kingdoms, leaving this one in extreme poverty'.[48] Hamilton summarised:

> toward the close of the reign of Phillip II decadence of agriculture, industry, and commerce—attributable in part to the persecution, expulsion, maiming, and killing of thousands of the most productive subjects during the Inquisition, the depletion of manpower through military ventures, the great growth of non-productive religious orders, the fostering of vagrancy by indiscriminate poor relief, the emigration of men to America at their most productive age, and the illusion that American gold and silver would enrich the nation without work—rendered public venues, which came largely from the *alcabala* and *millones* (sales taxes) and *almojarifazgo* (customs duties) inadequate for the enormous expenditures.[49]

Hamilton's narrative that the unearned wealth of the Americas impoverished Spain echoed the views of the *arbitristas* and classical political economists.

Hamilton's thesis of American treasure and the price revolution and the paradigm of 'decline' have been challenged and debated for decades. Elliott supported the narrative of decline, but qualified that it applied especially to Castile,[50] while Kamen argued that the narrative of the decline of Spain in the seventeenth century was a myth, but only because Spain's relative economic growth in the sixteenth century had been overestimated.[51] Kamen argued that Spain did not 'decline' but became dependent as a result of its underdevelopment, a view challenged by Jonathan Israel, who countered that the Castilian economy had strong

[46] Hamilton, *American Treasure and the Price Revolution.*

[47] 'Vide, Henri Hauser, Introduction to Bodin's response (Paris, 1932), xliii–xlv, lxxv–lxxvi; M. J. Bonn, Spaniens Niedergang während der Preisrevolution des 16. Jarhunterts, Stuttgart, 1898, 12–13; A. E. *Monroe, Monetary Theory before Adam Smith* Cambridge, 1923, 57–58', cited in Hamilton, *American Treasure and the Price Revolution in Spain*, 4.

[48] Actas xxxvii, 295–6, Hamilton, *American Treasure and the Price Revolution*, 89.

[49] Hamilton, *American Treasure and the Price Revolution*, 74.

[50] J. H. Elliott, 'The Decline of Spain', *Past and Present*, 20 (1961), 52–75.

[51] Kamen, 'The Decline of Spain: A Historical Myth?', *Past and Present*, 81 (1978), 24–50.

manufacturing production while textile production in Britain, France, and the Netherlands, which were supposedly growing faster, had ongoing problems.[52] Others have argued that Spain's relative decline was only gradual in the seventeenth century and increased more sharply in the eighteenth and nineteenth centuries.[53] Parker argued that the economic crisis experienced in Spain in the seventeenth century should be viewed not as a peculiarly Spanish problem but rather as the acute end of a general global crisis.[54]

What became known as the 'Bodin-Hamilton thesis', that New World silver caused fiscal instability and economic problems within Europe, has been revised in the last decades. David Hackett Fischer situated the impact of New World silver within the broader history of price revolutions and argued that these tended to be caused not by variations in volumes of metals but in demographics.[55] Some have maintained a monetarist model, but argued that if we extend the timeline, we see that fiscal instability began prior to the influx of New World silver.[56] Others have shown that the early modern price revolution was not solely a Spanish or even a European problem but a global phenomenon.[57] The Ottoman Empire experienced monetary instability in the early modern period,[58] and monetary instability is thought to have exacerbated the crisis that led to the overthrow of the Ming Dynasty in China in 1644. The Chinese philosopher Wang Fuzhi (1619–92) observed that 'hunger with nothing to eat, cold with nothing to wear, leading the nation to death, that is silver!'.[59] Spain's fiscal problems in the early modern period can be placed in a global context, and across each of the regional occurrences the global flow of New World silver interacted with a range of local circumstances.

Beyond the Bodin-Hamilton that American silver caused fiscal instability that led to the decline of Spain, others argued that reliance on New World silver led to underdevelopment and stagnation in the traditional agricultural and industrial sectors. In modern economic terms, the way in which a sudden development in one economic sector, such as the mining of natural resources, can lead to the

[52] Jonathan Israel, 'The Decline of Spain: A Historical Myth?', *Past and Present*, 91 (1981), 170–80.
[53] Carlos Álvarez-Nogal and Leandro Prados de la Escora, 'The Rise and Fall of Spain (1270–1850)', *Economic History Review*, 66: 1 (2013), 1–37.
[54] See Geoffrey Parker, *Global Crisis: War, Climate Change and Catastrophe in the Seventeenth Century* (New Haven, Connecticut: Yale University Press, 2013).
[55] See David Hackett Fischer, *The Great Wave: Price Revolutions and the Rhythm of History* (Oxford: Oxford University Press, 1996).
[56] John H. Munro, 'The Monetary Origins of the "Price Revolution": South German Silver Mining, Merchant Banking, and Venetian Commerce, 1470–1540', in Dennis Owen Flynn, Arturo Giráldez, and Richard Von Glahn eds, *Global Connections and Monetary History, 1470–1800* (Aldershot: Ashgate, 2003), 1–34.
[57] Flynn and Giráldez, 'Born with a "Silver Spoon"', 203.
[58] Şevket Pamuk, 'Crisis and Recovery: The Ottoman Monetary System in the Early Modern Era, 1550–1789', in Dennis Owen Flynn, Arturo Giráldez, and Richard Von Glahn eds, *Global Connections and Monetary History, 1470–1800*, 133–48.
[59] Cited in Jin Xu, *Empire of Silver: A New Monetary History of China*, trans. Stacy Mosher (New Haven, CT: Yale University Press, 2021), 6.

decline of another, such as industry, is known as the 'Dutch disease'.[60] Drelichman argues that Spain did suffer from this Dutch disease as it began importing products it had traditionally exported when silver imports were at their highest.[61] While Grafe and Pedreira summarise that overall the gains from empire did not compensate for losses in more traditional sectors,[62] others like Drelichman have seen the gains from empire as causing losses in traditional sectors.

Within the framework of world-systems analysis, Spain should have grown rich as a result of empire since it was a metropolitan 'core' that extracted resources from Latin America which was a colonial 'periphery'. However, other economic historians have argued that Spain, rather than being a classic 'core', ended up as a kind of colonial periphery within Europe. As Grafe summarises, 'core countries such as Britain, the Netherlands, and France were the main winners of the new World System. Portugal and Spain supposedly ended up in a half-exploited, half-exploitative semi-periphery in which mineral imports brought riches to some but poverty to many.'[63] Stein and Stein, who took Spain as a classic example of failing mercantilist policies, argued that centuries of imperialism did not prevent Spain becoming a poor periphery in Europe: 'At the end of the seventeenth century, after two hundred years of imperialism, in nominal control of the human and natural resources of dominions in America and the western Pacific, Spain, like its imperial neighbour Portugal, was an underdeveloped, stagnant area of western Europe.'[64] The narrative that Spain wasted its imperial wealth and ended up poor, or that imperial wealth was directly responsible for creating poverty in Spain endures.

The overall economic gains and losses of empire are hard to calculate since they were dispersed across public and private finances and were regionally varied. To understand if the wealth of nations increased (or decreased) overall as a consequence of imperialism in the early modern period, economic historians have tried to calculate how much real wages of European workers benefited from empire. This has shown that Portuguese wages gained most, while gains for Spanish wage labourers were more moderate; British wage labourers began to benefit from empire in the eighteenth century, while the gains of Dutch labourers declined in the second half of the eighteenth century.[65] However, these imperial

[60] The term was coined in 1977 to describe the impact of the discovery of a new natural gas field on the Dutch economy.
[61] Drelichman, 'The Curse of Moctezuma', 355.
[62] Regina Grafe and Jorge M. Pedreira, 'New Imperial Economies', in *The Iberian World* (New York: Routledge, 2019), 582–614.
[63] Regina Grafe, 'Social and Economic Trends', in Hamish Scott ed., *Oxford Handbook of Early Modern European History, 1350–1750*, vol. I: *Peoples and Place* (Oxford: Oxford University Press, 2015), 269–94.
[64] Stein and Stein, *Silver, Trade, and War*, 3.
[65] Leonor Freire Costa, Nuno Palma and Jaime Reis, 'The Great Escape? The Contribution of the Empire to Portugal's Economic Growth, 1500-1800', Working Papers in Economic History (Universidad Carlos III, Madrid, 2013), cited in Grafe, 'Social and Economic Trends', 276.

gains did not compensate for larger economic divergences, and despite benefiting more from empire, Portuguese labourers had the lowest overall wages in Europe.[66] While useful, the picture is partial, since the extent of wage labour also varied regionally.

Poverty in Early Modern Iberian Moral-Political Economy

In the sixteenth and seventeenth centuries scholars from across the Spanish Empire developed new theories on the cause of the wealth and poverty of nations. Many Second Scholastics of the School of Salamanca were concerned with concerned variations in the levels of precious metals and the regulation of currency and contributed to what became known as Spanish monetary theory. Others, known as the Spanish mercantilists, were concerned with the effects of the balance of trade. Yet others were focused upon the importance of investing in agriculture and industry, in theories that would be seen as closer to classical political economy.

Throughout the sixteenth and seventeenth centuries, there were new theories of the political and economic causes of poverty, and what made nations rich or poor. The birth of political economy is often attributed to Adam Smith and other Enlightenment thinkers of the eighteenth century, but many scholars had been addressing questions of political economy for far longer. Poverty, and the question of who provides for the poor, was not only at the centre of ideological battles between Church and state in the early modern period but also newly emerging ideas about the economy and the wealth and poverty of nations.

Writing in the second half of the sixteenth century, Luis Ortiz has been described as 'the first of the Spanish political economists and one of the earliest mercantilists to appear in any country'.[67] Ortiz was a comptroller (accounts inspector) for the royal treasury, and wrote a memorial addressed to Philip II in 1558. In what would become typical of the mercantilist preoccupation, he was concerned for the balance of trade and argued that the export of raw materials and import of foreign manufacturing should be forbidden.[68] Ortiz thought that money needed to remain in Spain not simply so wealth could accumulate but to pay for welfare and the maintenance of public goods such as roads.[69] Ortiz lamented that the shortage of money meant that people did not have alms for the poor.[70] Ortiz saw labour as essential to increasing the wealth of the nation, though

[66] Grafe, 'Social and Economic Trends', 276.
[67] Marjorie Grice-Hutchinson, *Early Economic Thought in Spain 1177–1740* (Indianapolis, IN: Liberty Fund, Incorporated, 2015, first printed in 1978), 139.
[68] Ibid., 140. [69] Ibid.
[70] Luis Ortiz, *Memoria al rey para que no salgan dineros de estos reinos de España* (1558), in M. Fernandez Alaverz ed., *Anales de Economia*, XVII, 1957, 63, 171, cited in Michel Cavillac, 'Introduction', in Cristóbal Perez de Herrera, *Amparo de Pobres* (Madrid, Espasa-Calpe, S.A., 1975), IX–CXCIII, CV.

it was important that the whole nation worked.[71] Ortiz did not think that foreigners should be excluded to protect Spanish workers, but thought that they should contribute to the prosperity and poverty reduction of the nation by marrying poor women in Spain.[72] Ortiz expressed concern about the economic impact of New World wealth and argued that real value was created by investing in industry long before the supposed birth of political economy in the eighteenth century.

In 1613 Antonio Serra wrote *A Short Treatise on the Wealth and Poverty of Nations*.[73] Serra was born in the late sixteenth century in Cosenza, a Calabrian town in the South of the Italian Peninsula that had come under the dominion of the Spanish Empire in 1500, and spent his adult life in Naples, which was also part of the Spanish Empire.[74] Serra analysed the economic problems of the Spanish viceroyalty in Naples, exploring issues such as the shortage of coin and the balance of trade.[75] Serra wrote his work with the express purpose 'to heal this dangerous sickness that is afflicting the kingdom of Naples'.[76] Serra's work questioned why Naples was poor when it should rich: 'On considering a number of Italian cities, I noticed that which one would have expected to be abundant were poor, whereas others which one would have expected to be poor abounded in money, although they did not work any gold or silver mines.'[77] He also questioned why it had a shortage of coin when it had a rich agricultural sector, 'why in this kingdom of Naples there is so little money that there might be said to be none at all, when all the logic would suggest that there should be plenty, given the amount of agricultural produce that is exported every year'.[78] Serra used the discourse of charity to petition the king to read his treatise'may I therefore beg Your Excellency, with that habitual kindness which does not despise but accepts that tiny offering of the two mites from the poor widow, not to scorn to read, such as it is, this work of mine'.[79] Despite this humble plea, Serra's questions were thinly veiled criticisms of the political economic governance of the Spanish Crown in the Kingdom of Naples.

In 1627 Miguel Caxa de Leruela (*c.*1562–*c.*1632) published his *Discourse on the main cause and repair of the common need, general famine and depopulation of these kingdoms* (*Discurso sobre la principal causa y reparo de la necessidad común, carestia general y despoblacion destos Reynos*). Caxa de Leruela wrote that while

[71] Grice-Hutchinson, *Early Economic Thought in Spain 1177–1740*, 141. [72] Ibid.
[73] Antonio Serra, *Breve trattato delle cause che possono far abbondare li regni d'oro e d'argento dove non sono miniere* (1613). See also Antonio Serra, Sophus A. Reinert, and Jonathan Hunt, *A 'Short Treatise' on the Wealth and Poverty of Nations* (1613) (London, New York: Anthem Press, 2011).
[74] Naples had been a possession of the kingdom of Aragon, was briefly captured by the French in 1501, but became part of the Spanish Empire's Mediterranean holdings in 1503.
[75] See also Sophus Reinert, *Antonio Serra and the Economics of Good Government* (Basingstoke: Palgrave, 2016).
[76] Serra, Reinert, and Hunt eds, *A 'Short Treatise' on the Wealth and Poverty of Nations* (1613), 103.
[77] Ibid., 103. [78] Ibid., 109. [79] Ibid., 105.

some have attributed the problems to the debasement of copper coins, and while it is true that the prices that are not regulated have risen, he argued that the decline of commerce and the reduction of the goods of the state began before the discovery of the Indies.[80]

The idea that the wealth of a nation, its ability to overcome poverty, depends upon investment in agriculture is usually associated with the French physiocrats of the eighteenth century such as François Quesnay (1694–1774). However, as early as 1589 the Counter-Reformation scholar Botero had written that agricultural production was central to the growth of people and resources, and the wellness of the state.[81] Botero's thinking on the best forms of political economy, part of his contribution to the development of theories of population, territory, and the state, was influenced by the opportunities and challenges of European imperial projects in the Americas, as it was for his English contemporary Richard Hakluyt, whose emerging theory of political economy was influenced by the emerging context of New World plantations.[82] Utilising the labour of the poor was part of Botero's proposal for improving the landscape through agriculture.[83]

The idea that proper investment in agriculture was essential to the wealth of the nation and overcoming poverty was central to several Spanish scholars in the early seventeenth century. Caxa de Leruela's *Discourse on the main cause and repair of the common need* focused on the importance of agriculture, especially livestock, for overcoming poverty in Spain.[84] Caxa de Leruela began this treatise by stating that 'the ruin of the livestock of these kingdoms is very great, and threatens the public state…and although this is important to all as it is the principle thing of nature for human life, it is most important for princes and lords'.[85] He added that livestock are 'the symbol of providence, the origin of abundance, and of principal foodstuffs and comforts of human life, and the foundation of politics'.[86] For Caxa de Leruela, proper investment in agriculture and conservation of livestock was the duty of those in power to support the growth and well-being of the population. Caxa de Leruela lamented that the decline of herds in

[80] Miguel Caxa de Leruela, *Discurso sobre la principal causa y reparo de la necessidad común, carestia general y despoblacion destos Reynos* (1632), Biblioteca Nacional de España (BNE), VE/53/80, 15r.
[81] Giovanni Botero, *The Reason of State*, ed. Robert Birlely (Cambridge: Cambridge University Press, 2017), 134.
[82] Ted McCormack, *Human Empire, Mobility and Demographic Thought in the British Atlantic World, 1500–1800* (Cambridge: Cambridge University Press, 2022), 105.
[83] Ibid., 116.
[84] Miguel Caxa de Leruela, *Discurso sobre la principal causa y reparo de la necessidad común, carestia general y despoblacion destos Reynos* (1632), Biblioteca Nacional de España (BNE), VE/53/80.
[85] Caxa de Leruela, *Discurso sobre la principal causa y reparo de la necessidad comun*, (BNE), VE/53/80, 1r.
[86] Caxa de Leruela, *Discurso sobre la principal causa y reparo de la necessidad comun*, (BNE), VE/53/80, unpaginated.

Spain was causing 'common necessity, general famine, and depopulation'.[87] He explained that agriculture was the most natural and honourable and first source of wealth for the kingdoms.[88] He further explained that its value came from the proper investment in labour, which was especially important to maintain older herds. To emphasise his case concerning the value of livestock, he added that the value of wool could compete with the estimated value of gold.[89]

Caxa de Leruela did not see the decline of livestock as an accident but the result of poor economic policies. He particularly blamed the breaking up of pasture land, and the loss of common grazing land (*deshass boyales*), which was akin to the enclosure movement, as a cause of the decline of livestock and consequential poverty and depopulation.[90] He also blamed the rule of 1617, which gave justices the occasion to destroy livestock that had entered vineyards even after the fruit had been harvested, which had been a common pastoral practice in the past, and he blamed in general the decline of the privileges of the Mesta (sheep guild).

While just a few decades earlier writers like Giginta had couched their reforms in religious language, Caxa de Leruela was unabashedly critical of religious institutions, which he described as 'sterile'. He criticised both the abstinence of monastic orders as he wrote concerning the depopulation of the Iberian Peninsula, and he wrote against the waste of monastic lands.

While historians have debated whether Scholastic thinkers contributed to the history of liberal economic thought,[91] I think this history helps us to understand the ongoing complicated relationships between moral beliefs and political economic concepts. The contributions of scholars from the Catholic territories of Southern Europe (and indeed all non-Western countries) to economic theory has historically been obscured by the legacy of the ideas of the German sociologist Max Weber. Weber was one of the first scholars to seriously consider the religious context of economic thought and policies. Weber helped develop the field of the sociology of religion, but he also established a confessionalised history of the transition to capitalism and established a historiographical paradigm that erased the intellectual history of Catholicism. Weber argued that the Protestant countries of Northern Europe developed the moral attitudes towards wealth and the political economic institutions to drive the economic progression to capitalism while Catholic countries in Southern Europe were held back by their disdain

[87] Caxa de Leruela, *Discurso sobre la principal causa y reparo de la necessidad comun*, (BNE), VE/53/80, unpaginated.
[88] Caxa de Leruela, *Discurso sobre la principal causa y reparo de la necessidad comun*, (BNE), VE/53/80, 3v.
[89] Caxa de Leruela, *Discurso sobre la principal causa y reparo de la necessidad comun*, (BNE), VE/53/80, 5r.
[90] Caxa de Leruela, *Discurso sobre la principal causa y reparo de la necessidad comun*, (BNE), VE/53/80.
[91] Schüssler, 'The Economic Thought of Luis de Molina', 283–5.

for wealth, asceticism (which in Weber's view was linked to an emotional relationship with sin and was associated with irrationality), and preference for time (and sound sleep) over money.[92] Weber argued that this prevented Catholics from developing the 'Protestant work ethic' and accumulating capital. This chapter has pointed to some of the ways in which scholars across the Catholic territories of Spain and Italy were actively engaged with new moral understandings of poverty and wealth, were responding to the material and moral impacts of increased global connections, contributing to the foundations of new economic theories, and pointing to more complex ongoing relationships between the moral, economic, and political realms.

The Legacies of Moral Beliefs Concerning Spanish Poverty in Modern Economic Thought

Moral denunciations of the Spanish Empire by the *arbitristas* and other contemporary commentators such as Bartolomé de Las Casas laid the foundations for what became known as the 'Black Legend', which has had a lasting legacy on the historiography.[93] The idea that the Spanish Empire was especially poor economically because of the political structure of the Spanish state and its institutions was further fuelled in the nineteenth century by Black Legend narratives of the arbitrary power and exceptional cruelty of Spain and by anti-Catholic sentiments. For example, these sentiments were crystallised in the histories of North American Protestant William Hickling Prescott (1796–1859),[94] who wrote that 'the full spirit of religious and political absolutism' was realised in the reign of Philip II and the policies of the Duke of Alva.[95] The Spanish Empire has been represented as an absolutist power that arbitrarily extracted resources from its subjects which ultimately led to poverty, ruin, backwardness, and decline across the Iberian world, a topic that was still a heated debated at the end of the twentieth century.[96]

The conception of the Spanish Empire as the paradigmatic example of an extractive and absolutist state that was manufactured by critics and enemies of Spain has been thoroughly revised in the last decades,[97] but it has continued to

[92] Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, trans. Talcott Parsons, intro. Anthony Giddens (London and New York: Routledge, 2001, first published by Allen and Unwin 1930).

[93] Benjamin Keen, 'The Black Legend Revisited: Assumptions and Realities', *The Hispanic American Review*, 49: 4 (1969), 703–19.

[94] See Richard L. Kagan, 'Prescott's Paradigm: American Historical Scholarship and the Decline of Spain', *The American Historical Review*, 101: 2 (1996), 423–46.

[95] William H. Prescott, *History of the Reign of Philip the Second, King of Spain*, vol. II (Boston: Phillips, Sampson, 1856), 205.

[96] See Kamen, 'The Decline of Spain: A Historical Myth?', *Past and Present*, 81: 1 (1978), and Israel, 'The Decline of Spain: A Historical Myth?', *Past and Present*, 91 (1981), 170–80.

[97] For example, see C. Jago, 'Habsburg Absolutism and the Cortes of Castile', *American Historical Review*, 86 (1981), 307–26 and J. B. Owens, *'By My Absolute Royal Authority': Justice and the Castilian Commonwealth at the Beginning of the First Global Age* (Rochester, NY: University of Rochester Press, 2005).

inform economic models that adhere to the beliefs of classical political economy. For example, New Institutional Economic (NIE) theorists Douglass North and Barry Weingast attribute the early modern economic divergence of Northern Europe from Southern Europe (known as the 'Little Divergence') to 1688, when the 'Glorious Revolution' took place in England and parliamentary sovereignty was established.[98] They argue that, when England established parliamentary sovereignty in 1688, it was able to restrain the excessive extractions of the monarch and protect private property. North and Weingast contrasted this with the 'absolutist states which faced no such constraint, such as early modern Spain',[99] arguing that the supposedly unrestrained power of the monarchy prevented its pathway to economic growth.[100] The idea of backwardness and decline continued to permeate the Little Divergence paradigm. Robert C. Allen summarised that Britain went from agrarian periphery to industrial powerhouse while Spain 'slipped behind', although he also questioned some of the normative assumptions of the Little Divergence model.[101]

In *Why Nations Fail: The Origins of Power, Prosperity and Poverty*, Acemoglu and Robinson extended the NIE approach, explaining global economic inequality in relation to the inheritance of different imperial institutions. They argued that countries that had been colonised by the British Empire ended up richer because they inherited the strong private property-protecting institutions of the parliamentary democracy of the British state, while countries colonised by the Spanish Empire ended up poorer as they inherited the weak institutions and arbitrary power of the formerly absolutist Spanish state.[102] This fundamentally misrepresents the constitutional arrangement of the Spanish Empire, its political practices of sovereignty, and the way in which economic value was stored not only in individual property but also common property and public goods across the Spanish Empire.[103]

Acemoglu and Robinson took the classical political economic and NIE precepts that the Spanish Empire became poor while the British Empire became rich

[98] Douglass C. North and Barry R. Weingast, 'Constitutions and Commitment: The Evolution of Institutions Governing Public Choice in Seventeenth-Century England', *The Journal of Economic History*, 49: 4 (1989), 803–32.

[99] North and Weingast, 'Constitutions and Commitment', 808.

[100] See Alexandra De Pleijt and Jan Luiten Van Zanden, 'Accounting for the "Little Divergence": What Drove Economic Growth in Pre-Industrial Europe, 1300–1800?', *European Review of Economic History*, 20 (2016), 387–409. This summary article draws upon earlier interventions in the early modern history of economic growth and the 'Little Divergence' such as J. De Vries, *European Urbanization, 1500–1800* (Cambridge, MA: Harvard University Press, 1981); Robert C. Allen, 'The Great Divergence in European Wages and Prices from the Middle Ages to the First World War', *Explorations in Economic History*, 38 (2001), 411–47.

[101] Robert C. Allen, 'Progress and Poverty in Early Modern Europe', *Economic History Review*, 66: 3 (2003), 403–43.

[102] Daron Acemoglu and James A. Robinson, *Why Nations Fail: The Origins of Power, Prosperity and Poverty* (London: Profile Books, 2012).

[103] See Julia McClure, 'The Role of Constitutions in Shaping Historic Patterns of Inequality: Rethinking the Spanish Tradition', in Anna Chadwick, Javier Solana, Eleonora Lozano Rodriguez, and Andrés Palacios eds, *Markets, Constitutions and Inequality* (Abingdon: Routledge, 2022), 142–60.

as a starting point for comparing poverty in South America with wealth in North America today. Yet this comparison itself can be seen as paradoxical if one considers the absolute poverty of many people living in big cities in North America that are classed as wealthy, with the relative wealth of people living in vibrant (although often pressurised and threatened) communities across Latin America that are classed as poor. Such contradictions arise as comparisons of the wealth and poverty of nations often measure wealth economically using aggregate data, for example Gross Domestic Product (GDP), to compare the sum of individual economic wealth between nations rather than considering the different forms of wealth and their distributions within nations.[104]

The tensions and contradictions that arise when we discuss the global inequalities of the wealth and poverty of nations, both historically and in the world today, point to a significant lacuna in our understanding. As we will see in the next chapter, historically societies across Latin America had distinct value regimes, moral economies, and strategies for mitigating scarcity.

In summary, Iberian trends in moral-economic thought, including the notion that Spain was impoverished by its imperial wealth, had a lasting legacy in Western traditions of economic thought. They influenced the development of theories of classical political economy, and resonate in modern economic theories of underdevelopment and global inequality. Yet a more contextualised intellectual history of poverty helps us to understand the role of moral-political beliefs that have shaped many economic theories. The notion that Spain was impoverished by imperial wealth reflected a moral anxiety, one that raised questions about the nature of poverty and wealth and the proper moral-economic governance that would safeguard the common good of the political community. In the next chapter, we will look at the place of poverty in early imperial discourses. We will focus in particular on the rhetorical construction of Indigenous people as poor in the long sixteenth century, something which itself came to play a role in theories of classical political economy as they developed in the Enlightenment and beyond.

Empire of Poverty: The Moral-Political Economy of the Spanish Empire. Julia McClure, Oxford University Press.
© Julia McClure 2024. DOI: 10.1093/9780198933908.003.0002

[104] To illustrate their point, Acemoglu and Robinson use a map of the world shaded according to Gross Domestic Product (GDP), highlighting the wealth gap between North and South America; Acemoglu and Robinson, *Why Nations Fail*, 47.

2

Indigenous Moral Economies and the Political Invention of Indigenous Poverty

> [T]he world's most primitive people have few possessions, *but they are not poor*. Poverty is not a certain small amount of goods, nor is it just a relation between means and ends, above all it is a relation between people. Poverty is a social status. As such it is the invention of civilization. It has grown with civilization, at once as an invidious distinction between classes and more importantly as a tributary relation—that can render agrarian peasants more susceptible to natural catastrophes than any winter camp of Alaskan Eskimo [Inuit].[1]

In his essay 'The Original Affluent Society', the anthropologist Marshall Sahlins established the categorical distinction between Indigenous societies that may experience scarcity and developed societies that have poverty. Sahlins argued that nomadic hunter-gatherers could access an abundance of resources while 'inadequacy of economic means is the first principle of the world's wealthiest peoples'.[2] Sahlins identified the problem that notions of poverty and wealth are culturally relative, and not absolute, which opened up the possibility of new understandings of the way in which poverty has come to be defined in relation to the value regime of capitalism. Sahlins explicitly built upon Karl Marx's critique of the theory of wealth and poverty at the heart of the classical political economy. Marx had quoted the views of the French aristocrat Destutt de Tracy, agreeing that 'in poor nations the people are comfortable, in rich nations they are generally poor'.[3] This was contrary to the global taxonomy of wealth and poverty at the heart of classical political economy. While Sahlins' critique made an important contribution to understandings of the role of capitalism in creating relative notions of poverty, he also referred to Indigenous people in overly essentialised and romanticised ways and did not increase our understanding of the value regimes and moral economies of Indigenous societies.

[1] Marshall Sahlins, 'The Original Affluent Society', in *Stone Age Economics* (London, New York: Routledge, 2017), 1–37, 36. Italics in original.
[2] Sahlins, 'The Original Affluent Society', 4.
[3] Cited in Sahlins, 'The Original Affluent Society', 2.

Many Indigenous societies historically had abundance as well as systems for mitigating fluctuations in the availability of resources. While historically societies may have experienced scarcity, not all can be considered as having categories of poverty and poor people in the same way as the moral-political concepts that developed in Europe in the Middle Ages, or to have experienced material poverty in the way it was created by the development of colonial capitalism.[4] Indigenous societies had their own frameworks for understanding and mitigating the risks of resource scarcity. Indigenous societies mobilised a range of social and environmental resources to mitigate risks of resource scarcity across communities which can be referred to as 'moral ecologies' rather than moral economies as they often involved social relations not only between people but also the broader environment. Hawaiian scholar Candace Fujikane has called for the shift away from capitalist cartographies of scarcity to Indigenous cartographies of abundance as a direct challenge to the traditions of political economy that have associated Indigeneity with poverty.[5] Poverty has not been part of the latent nature of Indigenous civilisations; rather Indigenous poverty was manufactured by colonialism.

The first part of this chapter looks at the complexity of Indigenous societies, and the strategies they had for mitigating the risks of resource scarcity and avoiding poverty. The second part of this chapter will explore how, despite the resource abundance and the socio-environmental strategies for mitigating the risks of scarcity, the Indigenous people of the Americas were invented as poor by Europeans for political purposes. In the sixteenth century, missionaries tried to work with the existing symbols, beliefs, and practices in their efforts to convert Indigenous societies to Christian moral schemas and translate moral-political concepts like poverty, vagrancy, and charity.

The Moral Ecologies of the Indigenous Americas

Before European invasion, the Americas were home to a great range of Indigenous societies with different modes of production. In Central Mexico the Purépechas, Otomís, Mexicanos, and Tlaxcalans had a range of settled agricultural practices and developed urban complexes, as did the Zapotecs and Mixtecs of southwest Mexico. The Maya region of southern Mesoamerica was home to a number of different ethnic groups, including the Ch'ol, Tzotzil, and Lacandon, whose socio-economic practices varied across the Maya Highlands and Lowlands, and included the swidden agro-ecological system known as the milpa. Some of the

[4] See Julia McClure, 'Scarcity and Risk in the Tropics', *History Workshop Online* (2022).
[5] Candace Fujikane, *Mapping Abundance for a Planetary Future: Kanaka Maoli and Critical Settler Cartographies in Hawaii* (Durham, NC: Duke University Press, 2021).

Indigenous peoples of northwest Mexico, the Zacatecos, Guachichiles, Tecuexes, Caxcanes, Pames, and Guamares, practised nomadic and semi-nomadic lifestyles, and were often grouped together using the general Nahuatl word Chichimeca, a word used to describe foreigners from the north and associated with the Nahuatl word for dog. This association with dog was not derogatory in the Nahua world; in the Aztec pantheon the god Xolotl was often depicted as dog-headed and one of the Chichimeca rulers had been named after this god.[6] The word Chichimeca was used by the Spanish in a derogatory way after invasion to describe the people of northern Mexico as 'wild' or 'barbaric'. The Spanish waged war against a confederation of Chichimeca peoples for much of the

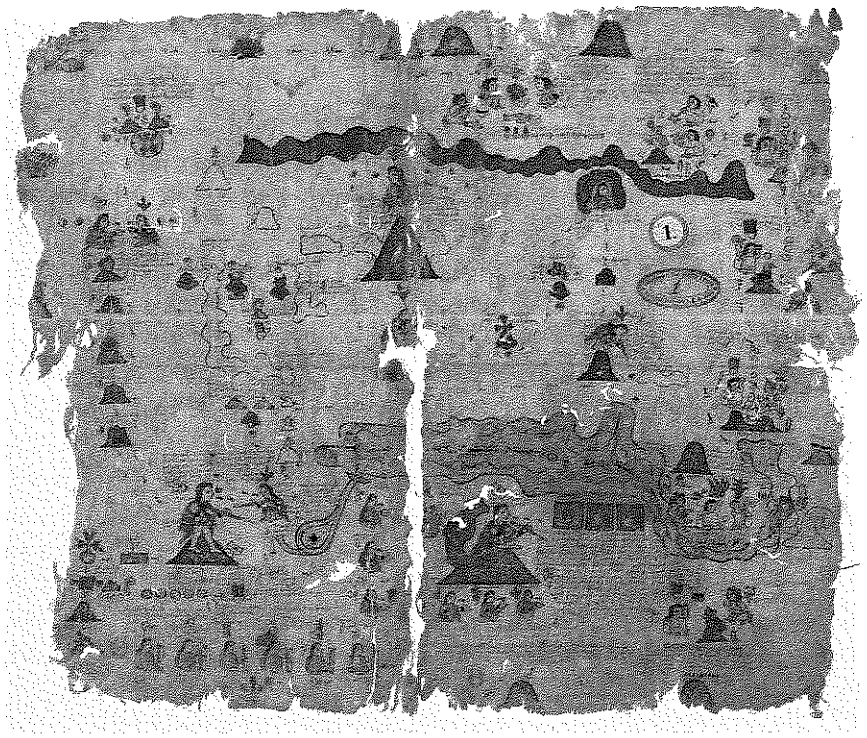

Figure 5 Representation of the Chichimeca in the Codex Xolotl, Bibliothèque Nationale de France, Manuscripts, Mexicain 1–10 taken from https://gallica.bnf.fr/ark:/12148/btv1b10303816n (last accessed 17/03/2024)

[6] This history was narrated by the mestizo historian Fernando de Alva Ixtlilxochitl (*c.*1578–1650), Fernando de Alva Ixtlilxochitl, *Historia de la Nación Chichimeca* (Madrid: Historia 16, 1985). Alva Ixtlilxochitl was descended from the lords of Texcoco, part of the triple alliance of the Aztec Empire. *Historia de la Nación Chichimeca* was based upon the Codex Xolotl, a post-conquest codex with Nahuatl text about the arrival of the Chichimecas in Texcoco, now in the Bibliothèque Nationale de France, Manuscripts, Mexicain 1–10. See Figure 5.

sixteenth century, known as the Chichimeca War (1550–90). More itinerant groups were denigrated by the settlers as they were harder to colonise and able to use mobility as a resource for resistance.

Across different types of Indigenous societies, there were complex moral economies for mitigating the risks of resource scarcity and for redistributing resources across unequal societies. These practices were in dialogue with the natural world and embedded in Indigenous cosmologies, and can be more properly thought of as Indigenous moral ecologies than moral economies.

Indigenous moral ecologies were embedded in particular belief systems and often involved not just giving resources to other people in the community but also giving to the gods. Scarcity, produced by disasters such as crop failures, were not seen as natural but as punishments from god.[7] The Mayans had a pantheon of gods and goddesses, including the Mayan rain deity Chaac.[8] The Aztec also had a pantheon of gods and goddesses, including Centeōtl, god of maize and subsistence, Chicomecoatl, the goddess of agriculture, and Tlaloc, the god of rain and thunder (corresponding to the Mayan god Chaac). Tlaloc was seen as both benevolent and vengeful, and as responsible both for fertility and destructive droughts and floods, and was celebrated during the festival of Huey Tozoztli (the festival of the long vigil). The Aztec people made sacrifices, giving gifts to the gods especially in times of droughts and other disasters. Sacrifices in times of drought were also made in the Inca Empire—in the first instance 100 llamas were sacrificed, but further gifts could be made.[9] The codices demonstrate the ceremonies giving to the gods to prevent or overcome drought. The Fejérváry-Mayer Codex depicted the Aztec calendar and was used to know when crops should be planted, and when gifts should be given to the gods for the success of the harvests.[10] In the Codex Laud, produced in the sixteenth century and also part of the Borgia group, the rain god Tlaloc is depicted surrounded by gifts, indicating gifts were given to the gods to ensure rains for the crops.[11] The codex produced by the Jesuit Juan de Tovar in the sixteenth century also depicted how the Aztec made offerings to the gods to prevent or overcome droughts and crop failures.[12] The Madrid Codex, one of the three surviving pre-colonial codices from the Mayan region alongside the Dresden and Paris Codices, also depicts agricultural ceremonies.

[7] Amos Megged, *Exporting the Catholic Reformation: Local Religion in Early-Colonial Mexico* (Leiden: Brill, 1996), 77.

[8] The oldest surviving codex representations of Maya cosmology can be found in the Dresden Codex, currently held in the University Library of Dresden and available through the Library of Congress, https://www.loc.gov/item/2021667917/.

[9] See Rebecca Seaman, ed., *Conflict in the Early Americas: An Encyclopedia of the Spanish Empire's Aztec, Incan, and Mayan Conquests* (Santa Barabara: ABC Clio, 2013), and Kay A. Read, *Time and Sacrifice in the Aztec Cosmos* (Bloomington: Indiana University Press, 1998).

[10] Fejérváry-Mayer Codex, National Museums Liverpool, M12014. See also Elizabeth Hill Boone, *Cycles of Time and Meaning in the Mexican Books of Fate* (Austin: University of Texas Press, 2007).

[11] See also Boone, *Cycles of Time and Meaning*, 159.

[12] Tovar Codex, John Carter Brown Manuscripts Codex Ind 2.

Many of the world's societies historically had strategies for mobilising a range of socio-environmental resources for mitigating the risks of resource scarcity that could be caused by events such as crop failure, natural disasters, and war. The types of socio-environmental resources and subsistence strategies varied across societies with different modes of production and different scales. Depending upon the social-environment context, communities could mobilise resources such as natural forests or fresh water sources, migration, endogenous or exogenous kinship networks, or institutions of bonded servitude or slavery. While there may have been similarities to the strategies of Indigenous American communities to mitigate the risks of resource scarcity, there were also variations, often in relation to particular natural environments.

Central Mesoamerica: The Aztec Empire

The high valley plateau of Central Mexico was, from the thirteenth century, home to the Mexica, the Nahua-speaking people who had migrated from other parts of the Valley of Mexico to found what became known as the Aztec Empire. Before the rise of the Mexica, the valley of Mexico had been the centre of another trans-regional empire, led by the Toltecs, that had begun to collapse in the twelfth and thirteenth centuries.[13] In 1428 three Nahuatl-speaking city states (*altepetl*), Mexico-Tenochtitlan, Tetzcoco, and Tlacopan, formed the 'Triple Alliance' that formed the basis of the Aztec Empire. The Aztecs developed a tributary empire centred around the urban capital Tenochtitlan (today's Mexico City). The Aztec rulers generated surplus wealth by extracting tribute, in goods such as corn or cloth or in labour, from the surrounding *altepetl* city states.

The *altepetl* city states were organised into *calpolli* (also written as *calpulli*). *Calpolli* were traditionally thought to be egalitarian units based upon kinship and common property, but scholars have warned against romanticism.[14] They were not exclusively linked to kinship but could accommodate migrants.[15] *Calpolli* were hierarchical units where lords controlled land and labour, organising the payment of taxes and the offering of soldiers to the Aztec Empire. While they were hierarchical, *calpolli* did constitute a set of common resources, and elites distributed usufruct rights among members.[16] Rural *calpolli* had collective lands,

[13] Ethnic-religious conflict and famine led to the collapse of the urban capital Tula at the end of the eleventh century CE.

[14] James Lockhart, *The Nahuas after the Conquest: A Social and Cultural History of the Indians of Central Mexico, Sixteenth through Eighteenth Centuries* (Stanford: Stanford University Press, 1992), 16.

[15] Ibid.

[16] Barbara Mundy, 'Aztec Geography and the Spatial Imagination', in Kurt A. Raaflaub and Richard J. A. Talbert eds, *Geography and Ethnography: Perceptions of the World in Pre-Modern Societies* (Oxford: Wiley-Blackwell, 2010), 108–27, 112.

and urban *calpolli* operated like neighbourhoods. Like the communal property institutions of medieval Europe, these communal resources facilitated the subsistence of community members. It has been argued that the Indigenous *calpolli* arrangements formed the basis of community property and mutual aid that developed with the Indigenous confraternities in the colonial era.[17]

The mild climate of the Valley of Mexico was conducive to agricultural development and the Aztecs developed irrigation and a system of terrace farming known as *chinampas*, man-made islands used to grow traditional crops such as maize.[18] The agro-hydrological system of the *chinampa* was central to the sustainable urbanism of the Aztec Empire. The agricultural system was dependent upon rainfall, and the Valley of Mexico was susceptible to droughts. There were serious droughts in the Valley of Mexico between 1450 and 1454. In times of famine royal granaries were opened to feed the people, but by 1454 these stores had run out, thousands died, and this serious crisis only passed when the drought ended.[19]

The pre-colonial Aztec economy was mixed, with an open commercialised sector that traded in produced goods such as pottery and textiles as well as the commodities exchanged in long-range trade (cacao, obsidian, feathers, cotton, salt, people, copper, gold) and politically controlled sectors of land and labour.[20] Each *altepetl* had a marketplace, and merchants (*pochtecayotl*) had special privileges.[21] Long-distance merchants could be members of a particular guild (*pochteca*). Tenochtitlan was also a commercial centre, a point were long-range trade networks intersected. When Hernán Cortés arrived in the capital Tenochtitlan, the Aztec Emperor Moctezuma showed off his abundant wealth and power by greeting Cortés with abundant hospitality, an account that has been frequently re-interpreted in the historical record.[22]

[17] Amos Megged, 'Poverty and Welfare in Mesoamerica during the Sixteenth and Seventeenth Centuries: European Archetypes and Colonial Translations', *Colonial Latin America Historical Review*, 6: 1 (1997), 1–29.

[18] 'Chinampa' comes from the Nahuatl 'chinamitl', meaning 'woven fence of canes'. They are depicted on the map of Tenochtitlan, 1521, retrieved from the Library of Congress, https://www.loc.gov/item/2021668313/, originally held in the Uppsala University Library. Examples can still be seen in Xochimilco in the south of Mexico City today. See Jorge Flores Braulio Robles, José Luis Martínez, and Patricia Herrera, 'The Chinampa: An Ancient Mexican Sub-Irrigation System', *Irrigation and Drainage*, 68: 1 (2019), 115–22. See also Miguel León-Portilla and Carmen Aquilera, *Mapa de México Tenochtitlán y sus contornos hacia 1550* (Mexico DF: Celanese Mexicana, 1986).

[19] Michael E. Smith, *The Aztecs* (Oxford: Blackwell Publishers, 1996), 52.

[20] Michael E. Smith, Jennifer B. Wharton, and Jan Marie Olson, 'Aztec Feasts, Rituals, and Markets: Political Uses of Ceramic Vessels in a Commercial Economy', in Tamara L. Bray ed., *The Archaeology and Politics of Food and Feasting in Early States and Empires* (New York: Kluwer Academic, 2003), 235–70, 236.

[21] For more on this see Ángel Ma Garibay Kintana, *Vida Económica de Tenochtitlan, 1. Pochtecayotl (arte de traficar)* (Mexico DF: UNAM, 1961). See also Bernardino de Sahagún, *Historia General, Book IX, 'de los mercaderes y oficiales de oro, piedras preciosas, plumas ricas'* (Mexico: Porrúa, 1956).

[22] See Julia McClure, 'An [In]Hospitable World', in A. Brett, M. Donaldson, and M. Koskenniemi eds, *History, Politics, Law, Thinking through the International* (Cambridge: Cambridge University Press, 2022), 231–52.

The city states of the Aztec Empire had hierarchical social structures, with unequal distributions of economic resources. There were high-ranking nobles, including royal princes (*tlazopipiltin*), nobles (*pipiltin*), commoners (*macehuales*), and those classed below commoners who, like serfs, were tenants working on privately owned land and did not have access to common lands (*mayeques*). There were also people below the level of commoners and serfs, known as *tlacotin*, types of unfree labourers sometimes translated as slaves. There were different typologies of slavery, including those temporarily working to pay a debt and those captured in war. People whom we might think of as middle class were classified in terms of their trade, such as merchants (*pochtecayotl*) (further distinguished by the kinds of products they sold), porters (*tlamemes*), coppercasters (*tepuzpitzqui*), feather workers (*amentecas*), scribes (*tlacuilo*), solicitors (*tlaciuitiani*), etc. Labour specialisation further differentiated the socio-economic landscape of the Aztec Empire. While some labour roles were gendered, Aztec women could play a 'near-equal' role to male merchants.[23]

Rulers distributed goods to those in need, but begging was criminalised and punishable by death.[24] One legend from Texcoco recounts that a ruler responded to complaints by commoners about the disparity in resource distribution by giving them gifts and telling the complainers that rulers had such responsibilities that they actually possessed nothing.[25] This story gives insight into the moral-political economy at work in the pre-colonial Aztec Empire.

Warriors, priests, and merchants each had a special status in Aztec society. Aztec priests had special status and were known as *tlamacazqui* (givers of things). They engaged in ritualised penance and Clendinnen describes them as 'athletes of self-mortification'.[26] Warriors (*xiquipilli*) were drawn from each *calpulli* and also had special status. Becoming a priest or warrior offered the possibility for social mobility.[27] Warriors were attributed more social value than productive labourers; the work of specialised labourers such as embroiderers and feather workers had high value due to the roles they played in warrior ceremonies.[28] Volume 10 of the Florentine Codex delineates different groups of people in the Aztec world and describes what constituted good and bad examples of categories of people such as lords and merchants.

In the Aztec Empire, the institution of *tlacotin* (*tlacotli* singular) was often a temporary strategy for surviving times of resource scarcity. People sold themselves into the status of *tlacotin* if they could not meet tribute payments, to pay a

[23] Inga Clendinnen, *Aztecs: An Interpretation* (Cambridge: Cambridge University Press, first published 1991, ACLS ebook edn 2014), 191.

[24] Benjamin Keen, *The Aztec Image in Western Thought* (New Brunswick, NJ: Rutgers University Press, 1971), 480. Also, Jerome A. Offner, *Law and Politics in Aztec Texcoco* (Cambridge: Cambridge University Press, 1983), 147, cites Ixtlilxochitl 1952: II, 205–6, 243.

[25] Offner, *Law and Politics in Aztec Texcoco*, 146.

[26] Clendinnen, *Aztecs: An Interpretation*, 181.

[27] Smith, *The Aztecs*, 142.

[28] Clendinnen, *Aztecs: An Interpretation*, 170.

debt, or in some cases as punishment.[29] The number of people classed as *tlacotin* rose in times of famine.[30] During the great famine that affected the Valley of Mexico in the 1450s, many Aztecs sold themselves to people in other parts of Mexico (usually the Gulf Coast).[31] The *tlacotin* status was not fixed, they could accumulate property and their children were born free.[32] The Durán Codex, a post-conquest codex produced in the second half of the sixteenth century also known as *Historia de las Indias de Nueva España e Islas de Tierra Firme*,[33] described how families might sell their children into slavery to survive times of famine.[34] The Franciscan friar Toribio de Benavente Motolinía described this practice, explaining that before the Spanish conquest people did not beg for alms as they instead attached themselves to the household of a relative or another household.[35] Enslaved people tended to perform household labour and did not make a large contribution to the Aztec economy.[36]

Dress was important in Aztec society for demarcating different socio-economic classes and roles. In his descriptions of Aztec society, Diego Durán frequently noted the importance of dress, for example explaining how it designated the status and role of women, as well as describing how men were forced to dress as women as punishment.[37] Social inequalities were reinforced by sumptuary legislation which regulated some aspects of dress and consumption.[38] However, it has been debated whether these were more aspirational than enforced.[39] Sumptuary laws related not only to dress but to the consumption of *pulque* (made from the fermentation of the maguey plant) which was used in ceremonies. In other aspects of consumer culture it seems there was less concern, as not all commodities sold in the markets were regulated and so 'even the fanciest and most valuable serving vessels were sold in the markets, available to commoners'.[40]

Feasting was important in Aztec society, and many stages of the Aztec calendar and life-cycle events were accompanied by feasting, often offering food to the

[29] Smith, *The Aztecs*, 141.
[30] Charles Gibson, *The Aztecs under Spanish Rule: A History of the Indians of the Valley of Mexico, 1519–1810* (Stanford, CA: University of California Press, 1964), 153.
[31] Smith, *The Aztecs*, 141.
[32] See Frances Berdan, *The Aztecs of Central Mexico: An Imperial Society* (New York; London: Holt, Rinehart & Winston, 1982).
[33] Durán Codex, Biblioteca Nacional de Madrid, bdh0000169486.
[34] See also Diego Durán, *The History of the Indies of New Spain*, ed. and trans. Doris Heyden and Fernando Horcasitas (Norman, OK: University of Oklahoma Press, 1994), 240.
[35] Toribio de Motolinía, *History of the Indians of New Spain*, ed. and trans. Elizabeth Foster (Westport, Conn: Greenwood Press, 1973), 143.
[36] Smith, *The Aztecs*, 141.
[37] See Diego Durán, *The History of the Indies of New Spain*, 204, 92.
[38] Michael E. Smith and Frederic Hicks, 'Inequality and Social Class in Aztec Society', in Deborah L. Nichols and Enrique Rodríguez-Alegría eds, *The Oxford Handbook of the Aztecs*, (Oxford: Oxford University Press, 2017), 423–36, 423.
[39] Jeremy A. Offner, 'The Future of Aztec Law', in Elizabeth Lambourn and Carol Symes eds, *Legal Encounters on the Medieval Globe* (Kalamazoo and Bradford: Arc Humanities Press, 2017), 1–32. See also Patricia Anawalt, 'Costume and Control: Aztec Sumptuary Laws', *Archaeology*, 33 (1980): 33–43.
[40] Smith, Wharton, Olson, 'Aztec Feasts', 236.

gods.[41] Feasting was practised by the different social groups.[42] The lords had feasts, but, unlike in social practices such as the Potlatch where feasting distributed goods to people of different social classes, Aztec feasts tended to be a framework of interaction between lords of different communities.[43] Aztec emperors held sumptuous feasts to show off their wealth to the lords of tributary estates. Imperial feasts did not redistribute wealth but reinforced inequalities.[44] Commoners held feasts to celebrate different events.[45] Elites also maintained storehouses to distribute resources to those in need in times of scarcity. In his *Natural and Moral History of the Indies*, the Jesuit priest José de Acosta described the moral economy of the Aztec Empire, noting that, while vassals were forced to give land and labour in tribute, the Aztec lords always ensured that they had enough to eat. He wrote that 'when the year turned barren, food was given to the needy from the same storehouses, for there was always an abundance in reserve'.[46]

Different patterns of land tenure could be a resource for scarcity risk mitigation in the Aztec Empire. As Allan Greer summarised, the Nahua people distinguished between purchased land (*tlalcohualli*) and *calpolli* land (*calpullalli*), inherited land (*huehuetlalli*), tribute land (*tquitlalli*), woman land (*cihuatlallli*), house land (*callalli*), and temple lands (*teotlalli* or *teopantilli*).[47] Much of the evidence for these Aztec land tenure patterns comes from wills and deeds in the colonial period, and while colonialism changed land tenure patterns these Indigenous wills and deeds give us some sense of pre-colonial forms of tenure. While *calpolli* were controlled by elites, they constituted resources which could help communities survive times of scarcity.

The Aztec world did not have the same cultural beliefs about poverty that had developed in Christian Europe. Times of scarcity could be seen as punishment from the gods, and as part of a natural cycle of time. For example, the year of the rabbit was associated with famine.[48] While communities were hierarchical and there were lower socio-economic groups of commoners and slaves, there was not necessarily a group of people that could be identified as 'the poor'. Amos Megged argues that 'poverty among native societies in Mesoamerica was generally linked with supernatural afflictions and not regarded as an integral aspect of human destiny and "natural" social conditions'.[49] The colonial-era Florentine Codex, produced in dialogue between Indigenous scribes and Franciscan missionaries,

[41] This is described in Florentine Codex Book 6.
[42] Smith, Wharton, Olson, 'Aztec Feasts', 243. [43] Ibid., 237. [44] Ibid., 245.
[45] These are outlined in Book 4 of the Florentine Codex. See Bernardino de Sahagún, *Historia general de las cosas de Nueva España*, vol. 1 (Mexico DF: Editorial Porrua, 1956), 313–69.
[46] José de Acosta, *Natural and Moral History of the Indies*, introduction and commentary by Walter Mignolo, trans. Frances López-Morillas (Durham, NC: Duke University Press, 2002), 354.
[47] Allan Greer, *Property and Dispossession, Natives, Empires and Land in Early Modern North America* (Cambridge: Cambridge University Press, 2018), 36 and 113–14.
[48] There had been a long famine around the year 1454, which was still part of cultural memory when the Spanish arrived.
[49] Megged, *Exporting the Catholic Reformation*, 77.

described how people in the Aztec Empire understood misfortune and scarcity as an act of God, and volume 6, on rhetoric and moral philosophy, gives an example of the prayers to the gods to alleviate poverty.[50] The Florentine Codex recounts that the people 'prayed to Texcatlipoca, whom they named the night, the wind, as they asked for riches, so that they would not be poor'.[51]

Although some scholars historically have noted that the Aztecs had vagrancy laws and only allowed the disabled to beg for alms,[52] it is unlikely that a concept akin to the European moral concept of vagrancy existed within the Nahua moral schema. Offner notes that one Texcocan ruler 'prohibited begging, on penalty of death',[53] but does not describe this as a vagrancy law. Offner notes that landless *calpolli* members 'supported themselves through hunting, lumbering, charcoal burning, petty trading and so on', and that people were more likely to enter the institution of temporary slavery, *tlacotin*, than beg for resources.[54] Rulers may have legislated against begging, but not necessarily mobility. Commoners had access to the *calpolli* land, but they were also free to leave for another place. Further, histories of migration were part of the cultural memory of some Mesoamerican groups; the Mexica (the dominant ethnic group of the Aztec Empire) had migrated to Central Mexico from further south, and the lords of Texcoco traced their ancestry to nomadic peoples (part of the so-called Chichimeca) who had come to settle in the Central Valley of Mexico. Hunting, which required times of itinerancy, was not only helpful to survival but a respected practice within the Aztec world. James Maffie explains that 'Aztec metaphysics understands hunting and capturing game in the wild, and hunting and capturing humans on the battlefield in identical terms', and that 'Aztec metaphysics conceives the harvesting of corn and maguey in terms of hunting and capturing'.[55] While the *calpolli* and *tlacotin* institutions provided resources and survival strategies for people within Aztec *altepetl*, it is unlikely that itinerancy came to have the moral implications of vagrancy that developed in Europe.

Southern Mesoamerica: The Maya Region

The Maya region of Mesoamerica—located in today's southern Mexico states of Chiapas, Tabasco, Campeche, Yucatán, and Quintana Roo, as well as Belize,

[50] For example, Bernardino de Sahagún, *Florentine Codex, General History of the Things of New Spain, Book 6, Rhetoric and Moral Philosophy*, translated from the Aztec into English, with notes by Charles E. Dibble and Arthur J. O. Anderson (Santa Fe, New Mexico: University of Utah, 2012), 4.

[51] Sahagún, *Florentine Codex, Books* 6, 7.

[52] Keen, *The Aztec Image in Western Thought*, 480.

[53] (Ixtlilxochitl 1952: II, 234), cited in Offner, *Law and Politics in Aztec Texcoco*, 147.

[54] Offner, *Law and Politics in Aztec Texcoco*, 146 and 140.

[55] James Maffie, *Aztec Philosophy: Understanding a World in Motion* (Boulder, CO: University of Colorado Press, 2014), 314.

Guatemala, and Honduras—can be divided into the sub-regions of the Maya Lowlands and the Maya Highlands. The Mayan Empire reached its height in the Classic period (250 CE—ninth century), as it fragmented politically other urban centres such as Chichen Itza (which developed as a regional capital in the tenth century CE) and the urban complexes of the K'iche kingdom in the Guatemalan Highlands. The Classic Maya civilization did not suddenly collapse in the ninth century but rather there was a more gradual period of change. It is no longer commonly thought that drought led to the collapse of the Classic Maya as the Maya had strategies for mitigating the risks of drought, and it has been suggested this has been overstated since during the colonial period Maya people were prevented from undertaking these strategies and travelling to alternate water sources.[56]

The Mayan region is ethno-linguistically diverse. Many different ethnic groups have inhabited what is known as the Mayan region, including the Yucatec (a term sometimes given to speakers of Mayan Yucatec, which is the largest of the Mayan languages), Kekchi (Q'eqchi'), Mopan, and Manche Chól people, and in the Highlands the Ch'ol, Tzeltal, Tzotzil, Tojolabal, and Lacandon peoples.

The Mayan region is also topographically diverse, and this has led to different forms of production. The Mayan Highlands and Lowlands enabled different economies. Lowland Mayans exported salt, cacao, cotton cloth, honey, and some enslaved peoples, and they imported obsidian, jade, Spondylus shells, copper, and gold across long-range trade networks.[57] The lack of gold deposits meant that Spanish conquistadores were not attracted to the region and were slow to establish colonial rule there, but Mayan communities were hit by the collapse of long-distance trade caused by the conquest of the Aztec Empire.

Maya societies were organised into *cah* (the micro-state structure approximate to the Aztec *altepetl*), which could include lands that were distant from the more urban centres of communities which consisted of houses and house plots (*solares*) organised around a central plaza.[58] In addition to plots within major settlements, Maya societies agro-engineered the surrounding landscape, blurring the boundary between the urban and rural. The Maya had different types of land tenure, including the *cetil*, even distribution, and *multial*, joint ownership.

The tropical forest zones of Mesoamerica were able to sustain urban complexes with large populations. During the Classic Maya period (250–900 CE), the Maya

[56] J. Normark, 'The Roads In-Between: Causeways and Polyagentive Networks at Ichmul and Yo'okop, Cochuah Region, Mexico'. PhD thesis, Göteborg University, Göteborg, 2006, 342, cited in Nicholas P. Dunning and Timothy Beach, 'Farms and Forests: Spatial and Temporal Perspectives on Ancient Maya Landscapes', in I. Peter Martini and Ward Chesworth eds, *Landscapes and Societies, Selected Cases* (Dordrecht: Springer, 2011), 369–89, 283.

[57] Grant D. Jones, 'The Lowland Mayas, from the Conquest to the Present', in R. Adams and M. MacLeod eds, *The Cambridge History of the Native Peoples of the Americas*, vol. 2, Mesomerica, Part 2 (Cambridge: Cambridge University Press, 2008), 346–91.

[58] Matthew Restall, *The Maya World: Yucatec Culture and Society, 1550–1850* (Stanford, CA: Stanford University Press, 1997), 21–4.

cities of Tikal, Uaxactun, and Calakmul had populations of between 50,000 and 120,000 people.[59] Ford and Nigh estimate that the population density of the Late Classic Maya town of El Pilar was as high as between 176,077 and 182,600 people.[60] Dunning and Beach estimate that the Late Classic population of the 'garden city extraordinaire' of Caracol could have been as high as 115,000–150,000 *c.*700 CE.[61] Overturning Eurocentric views that shifting agriculture could only support low-density, dispersed populations, Ford and Nigh argue that the milpa forest garden, with the right labour, skills, and use of extensive lands, could effectively 'domesticate an entire landscape', and support densely populated Mayan cities.[62] Maya communities also cultivated gardens within urban complexes, and this has led Mayan cities to be described as 'garden cities' or 'green cities'.[63]

Communities across Mesoamerica, historically and today, practise an itinerant, or swidden, agro-ecological system known as the milpa. Shifting agriculture was common across the world's tropical forest zones in the Americas, Africa, and Asia.[64] The milpa is a polyculture; a mix of crops, typically maize, beans, and squash, are grown together. Seeds are carefully collected and stored for the next season's planting. A digging stick was used for sowing the seeds. In this itinerant agricultural practice, bushland is cleared, sometimes through burning, the ash acts as a natural fertiliser, and traditional crops are grown in the clearing. The land is left in active rest in the form of managed succession.[65]

In the Mayan region, the milpa is known as *chol*, *col*, or *kol*, and has historically been important to the region's biocultural diversity and survival. Milpa were cultivated in the Mayan Highlands and Lowlands. The crop yield of the milpa can be high as it uses virgin soils, but it requires extensive land access as the site is left in active rest while another site is opened. In the Highlands where water is scarcer, water could be harvested from the rainwater collected by tree canopies. The milpa enabled Mayan societies and their descendants to survive times of water scarcity. Mayan societies developed urban societies in both the Classic and the post-Classic periods; milpa production was able to sustain urban populations in good times and offered an alternative during times of scarcity. Consequently, settlement patterns in the Mayan region underwent fluctuations in nucleation and dispersal, as societies underwent both periods of urbanisation and scarcity mitigation. Anabel Ford and Ronald Nigh, whose work has done so much to

[59] Patrick Roberts, *Tropical Forests in Prehistory, History, and Modernity* (Oxford University Press, 2019), 159.
[60] Annabel Ford and Ronald Nigh, *The Maya Forest Garden: Eight Millennia of Sustainable Cultivation of the Tropical Woodlands* (London and New York: Routledge, 2015), 112.
[61] Dunning and Beach, 'Farms and Forests'.
[62] Ford and Nigh, *The Maya Forest Garden*, 123.
[63] For an example of this see Arlen F. Chase and Diane Z. Chase, 'Scale and Intensity in Classic Period Maya Agriculture: Terracing and Settlement at the "Garden City" of Caracol, Belize', *Culture & Agriculture*, 20: 2–3 (1998), 60–77.
[64] See Roberts, *Tropical Forests in Prehistory*.
[65] Ford and Nigh, *The Maya Forest Garden*, 69.

transform contemporary understandings of the milpa, note that, when Cortés invaded, the Mayan people fled but left behind enough food to sustain the army of 3,000 Aztec soldiers and 100 Spanish horsemen.[66] In the Mayan region the milpa was a strategy for surviving scarcity but could also be a source of abundance.

Much of the Mayan region is tropical forest, thought (by Westerners) to be a difficult environment for agricultural production. Historians have noted the achievements of Mayan civilisation, as 'Classic Maya cities managed to thrive in a fragile tropical environment for many centuries'.[67] Highland and Lowland Mayan communities developed different systems to manage water access, including using cenotes (water-filled sinkholes), making wells and canals, and terracing fields.[68] Water holes were sacred and opening a water hole required a ceremony.[69] Mayan communities knew how to cultivate 'famine foods', such as *jicama*, which they ate when crops failed.[70] The prophecies of *Chilam Balam* refer to *jicama cimarrona* as a famine food.[71] Diego de Landa's *Relaciones de Yucatán* described how Mayan communities kept seed banks to survive times of scarcity.[72]

Mayan communities were both hierarchical and corporate. Maya urban centres were organised into *batabil* (city states). These city states had *batab* (chiefs). The relationship between elites and commoners was not necessarily always harmonious, as the book of *Chilam Balam*, a key source for Mayan history written in the seventeenth and eighteenth centuries based upon oral traditions, described *batabs* as blood-sucking insects of towns who drain the poverty of the *macehuales* (commoners).[73]

Like in Central Mesoamerica, in the Mayan region feasting was a social strategy. Feasting followed life cycles and calendric cycles and were reciprocal, reinforcing social bonds.[74] Nancy Farriss has argued that 'the Maya conceived of survival as a collective enterprise in which man, nature, and the gods are all linked through mutually sustaining bonds of reciprocity, ritually forged through

[66] Ibid., 23.
[67] Christian Isendahl and Michael E. Smith, 'Sustainable Agrarian Urbanism: The Low-Density Cities of the Mayas and Aztecs', *Cities*, 31 (2013), 132–43, 132.
[68] Raymond T. Matheny, 'Ancient Lowland and Highland Maya Water and Soil Conservation Strategies', in Dennis Edward Puleston and Kent V. Flannery eds, *Maya Subsistence: Studies in Memory of Dennis E. Puleston* (New York: Academic Press, 1982), 157–78.
[69] Ibid., 171.
[70] Joyce Marcus, 'The Plant World of the Sixteenth- and Seventeenth-Century Lowland Maya', in Dennis Edward Puleston and Kent V. Flannery eds, *Maya Subsistence: Studies in Memory of Dennis E. Puleston* (New York: Academic Press, 1982), 239–73.
[71] Ralph L. Roys, *The Book of Chilam Balam of Chumayel, Literature of the Yucatan Mayans: The Religion, Calendar and Legends of the Maya Civilization* (Pantianos Classics, first published 1933), 64.
[72] Tozzer, 1941, 195, cited in Marcus, 'The Plant World of the Sixteenth- and Seventeenth-Century Lowland Maya', 247.
[73] Nancy Farriss, *Maya Society under Colonial Rule: The Collective Enterprise of Survival* (Princeton: Princeton University Press, 1984), 249.
[74] Julia A. Hendon, 'Feasting at Home: Community and House Solidarity among the Maya of Southeastern Mesoamerica', in Tamara L. Bray ed., *The Archaeology and Politics of Food and Feasting in Early States and Empires* (New York: Kluwer Academic, 2003), 203–24.

Figure 6 Bonampak mural, women ritualistically pierce tongues with maguey spikes, author's own photo

sacrifice and communion.'[75] Like in the Aztec Empire, the Maya Empire had priests that played a mediating role with the gods. Murals from the Classic Maya site of Bonampak illustrate that woman played an active role in the ritualistic moral-spiritual economy of penance, piercing their tongues with maguey spikes.[76]

South America: Inca Empire

The Inca Empire at its height stretched across much of the Andes, integrating Peru, and parts of Ecuador, Bolivia, Colombia, Argentina, and Chile, and was the largest pre-Columbian polity in the Americas. The Inca civilisation emerged in the Peruvian Highlands in the thirteenth century and the Inca Empire spread out from the kingdom of Cusco across the Andes from the start of the fifteenth century. Its expansion was successfully resisted in the southern Andes by the Mapuche. The Inca Empire was a hierarchical polity: at the top was the Sapa Inca (Unique Lord), thought to be the son of the sun (*Inti*), and the empire was split into four provinces (*suyu*) ruled by a lord (*apu*), with the support of a provincial

[75] Nancy Farriss, *Maya Society under Colonial Rule*, 6.

[76] See Figure 6.

governor (*tocricoc*). Peasants were forced to provide some labour on the lands of the aristocracy. There was behavioural and sumptuary legislation to enforce the social hierarchy.[77]

The Inca Empire maintained control across high altitude terrain, and it did so by developing the scientific agricultural methods to cultivate and store foods at high altitudes. The storage system of the Inca Empire meant that it could manage food supplies across regional and temporal variation of crop yields to ensure people had enough even in times of low crop yields. Feasting and ritual food offerings were important to the transcendental authority of Inca rulers,[78] and there were rituals to maintain the fertility of the land which was recognised as sacred.

As the Inca Empire expanded, it claimed all land and resources as its own, but did so by extending a moral economy of reciprocal obligations. Terence N. D'Altroy summarises: '[I]n the classic version of the imperial economy, described by chroniclers such as Polo de Ondegardo, Garcilaso de la Vega, and Cobo, the Incas set up a system to sustain their activities by claiming a relationship of mutual obligation between themselves and their subjects.'[79] Recently the myth of Inca dominance over Andean environments and societies has been revised to show that there was more a process of negotiation.[80] The Inca Empire maintained its power like other agrarian empires, collecting tribute and accumulating a reserve which it could redistribute in times of scarcity. It used the *mit'a* taxation system to collect resources; often this tax was paid in the form of labour on Inca infrastructure projects. Inca elites stored reserves in giant store houses, *qullqa* in Quechua.[81]

Qullqa, or granary, took its name from the Incan patron of warehousing and preserving seeds for the next season. These storehouses dotted the great road infrastructure built by the Inca. These *qullqa* have been described as 'some of the most durable and energy-efficient food storage structures in history'.[82] Inca granaries stored dehydrated potatoes and other tubers. From these storage systems the Inca distributed resources to the armies and provided for the labourers that were working in the *mit'a* system. Significantly, the Inca also gave resources to the poor in times of need, which was crucial to the way they maintained authority. The

[77] Terence N. D'Altroy, 'Inca Political Organization, Economic Institutions, and Infrastructure', in Sonia Alconini and Alan Covey eds, *The Oxford Handbook of the Incas* (Oxford: Oxford University Press, 2018), 205–26.

[78] See Susan Elizabeth Ramírez, *To Feed and Be Fed: The Cosmological Bases of Authority and Identity in the Andes* (Stanford: Stanford University Press, 2005).

[79] Terence N. D'Altroy, 'Inca Political Organization, Economic Institutions, and Infrastructure', 214.

[80] See Steve Kosiba, 'Cultivating Empire: Inca Intensive Agricultural Strategies', in Sonia Alconini and Alan Covey eds, *The Oxford Handbook of the Incas* (Oxford: Oxford University Press, 2018), 227–46.

[81] *Qullqa* is sometimes spelt as *colca*, *collca*, *qolca*, or *qollca*.

[82] Daniela Brandlin and Cliff Schexnayder, 'Lessons in Sustainability from the Inca Empire', *Practice Periodical on Structural Design and Construction*, 18: 1 (2013), 52.

Inca also maintained *tambo*, institutions of hospitality that facilitated movement within the Inca Empire.

The Inca also organised festivals during which resources from storehouses were redistributed. Granary resources were controlled by different institutions (such as temples) and were used for different functions such as state ceremonies and hospitality. D'Altroy summarises: '[S]ome chroniclers wrote that the state supplies could be relied upon in time of dire need by local peoples, but there is no indication that they served as a public dole, as in ancient Rome.'[83] People engaged in labour service benefited from the feasts offered by elites during festivals.[84]

The corporate structure of the *ayllu* was important to the ability of communities in the Inca Empire to mitigate the risks of resource scarcity. D'Altroy summarises: '[T]hrough membership, people gained access rights to pastures, agricultural lands, water, and other key resources, such as salt, clay for making pottery, and stone quarries.'[85] Collective resources and labour could not be bought or sold. In the Inca Empire, because the land was sacred, it was understood as '*sapci*', meaning 'that which is common to all'.[86] Crucially, Susan Elizabeth Ramírez has argued that 'native customary rights remained important in the quotidian lives of peasants despite the overlay of colonial legalities that often, overtime, displaced native peoples and fixed them on lands different than those occupied before 1532.'[87] Understanding pre-colonial Indigenous values and institutions is important to understanding patterns of resistance and continuity as well as transformation in the colonial period.

The Inca Empire had forms of social assistance, but the Spanish conquistadores wanted to depict colonised societies as not having a moral economy or concept of charity so that the conquest could be seen as an interventionist act of care and protection. Gabriella Ramos observes: '[I]n his treatise on Inca religion, Polo de Ondegardo wrote that Andeans did not have charitable feelings and scorned the elderly and the poor.'[88] De Ondegardo was a Spanish settler in the Viceroyalty of Peru and a jurist whose descriptions of Andean charity were part of the rhetorical construction of the legitimacy of empire.

[83] Terence N. D'Altroy, 'Inca Political Organization, Economic Institutions, and Infrastructure', 224.

[84] 'As self-proclaimed benevolent lords, they were also supposed to provide largess, in the form of status gifts to the elites, for example, and sandals and an annual shirt to people on military duty. They also provided all of the food and drink that people required during their labor service, and threw great festivals at provincial centers annually, at the end of which people's future obligations were set out', Terence N. D'Altroy, 'Inca Political Organization, Economic Institutions, and Infrastructure', 215.

[85] Terence N. D'Altroy, 'Inca Political Organization, Economic Institutions, and Infrastructure', 215.

[86] Susan Elizabeth Ramírez, 'Land and Tenure in Early Colonial Peru: Individualizing the Sapci, "That Which Is Common to All"', in Elizabeth Lambourn and Carol Symes eds, *Legal Encounters on the Medieval Globe* (Kalamazoo and Bradford: Arc Humanities Press, 2017), 33–72, 34.

[87] Ramírez, 'Land and Tenure in Early Colonial Peru', 34.

[88] Polo de Ondegardo, 'Los errores y supersticiones de los indios [The Errors and Superstitions of the Indians]', *Revista Histórica*, 1 (1906), 207–31, 209 cited in Gabriela Ramos, 'Indian Hospitals and Government in the Colonial Andes', *Medical History*, 57: 2 (2013), 186–205, 192.

The Discovery of the Americas and the Political Invention of Indigenous Poverty

On the eve of European colonialism the Americas were home to a wide variety of societies, many of which managed abundant resources and had complex moral economies for mitigating the effects of resource scarcity. Despite the manifest abundance of many Indigenous societies in the Americas, Indigenous people came to be represented by Europeans as poor. The earliest colonial commentators contributed to this in the first instance by describing the lands as rich but the people as poor, creating a separation between the wealth of the Americas and its peoples. As mentioned in the introduction Christopher Columbus's first observation of the Americas upon his arrival in the Caribbean islands on his first voyage in 1492 concerned the abundance of its lands and the poverty of its peoples: 'having landed, they saw trees very green, and much water, and fruits of diverse kinds.... It appeared to me to be a race of people very poor in everything.'[89] Peter Martyr d'Anghiera (1457–1526), another humanist who also gave lectures at the University of Salamanca, was appointed as the chronicler of the Council of the Indies in 1520 and was commissioned by Charles V to write an account of the expeditions in the Americas.[90] In his account of Columbus's second voyage to the Caribbean Islands in 1493, Martyr repeatedly described the lands as abundant and fertile.[91] Martyr described the people as happily poor: 'the caciques of the island have always been contented with little for they lived a peaceful and tranquil life.'[92] The notion that the land of the Americas was abundant but its peoples were poor was reiterated at the end of the sixteenth century in José de Acosta's *Natural and Moral History of the Indies* (published in 1590). On describing the abundance of the Americas Acosta wrote: 'Nature gave them all this as a free gift, wishing to favor the poor Indian people.'[93]

Christopher Columbus's first letter from the Americas described the Indigenous people of the Caribbean as existing without clothes or weapons in a kind of state of nature. Columbus's descriptions of the Americas were ambivalent, depicting them both as meek and innocent and as having less than human intelligence. From the first colonial encounters, Europeans speculated upon the nature

[89] *The Journal of Christopher Columbus (during His First Voyage, 1492–93): And Documents Relating to the Voyages of John Cabot and Gaspar Corte Real*, ed. Clements R. Markham, Hakluyt Society, 2010, 37.

[90] He produced eight accounts of different expeditions, known as decades, based upon written reports and testimonies and published these as a single volume in 1530. Peter Martyr d'Anghiera, *De Orbe Novo, the Eight Decades of Peter Martyr d'Anghera*, ed. Francis August MacNutt (London and New York: G. P. Putnam's Sons, 1912).

[91] For example, Martyr d'Anghiera, *De Orbe Novo*, Decade 1, 88.

[92] Martyr d'Anghiera, *De Orbe Novo*, Decade 1, 105–6.

[93] José de Acosta, *Natural and Moral History of the Indies*, introduction and commentary by Walter Mignolo, trans. Frances López-Morillas (Durham, NC: Duke University Press, 2002), 66.

of Indigenous people and reflected on the state of nature and the human condition. The meaning of poverty and property was central to these reflections.

The question arising during the sixteenth-century colonisation of the New World of who the Indigenous Americans were was not only legal but also ontological. These debates were informed by both Christian moral differentiations between deserving and undeserving poor, and by classical differentiations between civilisation and barbarism that had been revived by humanist scholars in Europe. On their arrival in the Americas, Christian missionaries contributed to the construction of Indigenous people as poor, often referring to them as '*pobres indios*' (poor Indians), irrespective of the pre-colonial wealth of many Indigenous communities. The religious discourse of '*pobres indios*' laid the moral foundations for the enduring ideological association between indigeneity and poverty.

On his journey across Mexico to the Aztec capital Tenochtitlan, the conquistador Hernán Cortés described the land of Mexico as rich and its people as poor. Travelling through one valley to the north of Mexico City (identified as Puerto de la Leña), he wrote: 'on the descent from this pass, between some very steep mountains, there is a valley thickly inhabited with people who seem to be very poor.'[94] Upon leaving Tlaxcala and arriving in Cholula he wrote:

> this state is very rich, for it possesses much land, most of it irrigates. The city is more beautiful to look at then any in Spain, for it is very well proportioned and has many towers…from here to the coast I have seen no city so fit for Spaniards to live in, for it has water and common lands suitable for raising cattle, which none of those we saw previously had, for there are so many people living in these parts that not one foot of land is uncultivated, and yet in many places they suffer hardship for lack of bread. And there are many poor people who beg from the rich in the streets as they do the poor in Spain and other civilised places.[95]

Here Cortés described the presence of both rich and poor people in the Americas. However, while Indigenous societies had socio-economic hierarchies, these were not necessarily ordered according to the European concepts of rich and poor used by early colonial commentators.

In the early sixteenth century, the Spanish colonial commentator Gonzalo Fernández de Oviedo y Valdés (1478–1557) produced influential descriptions of the Americas which described the abundance of Indigenous societies.[96] For example, he described territories in the mainland of the Americas as 'very populated and of great fertility and abundance and well maintained' ('*tierra muy*

[94] Hernán Cortés, Second Letter, *Hernan Cortés: Letters from Mexico*, ed. Anthony Pagden (New Haven: Yale University Press, 1986), 55.
[95] Ibid., 75.
[96] Fernandez de Oviedo, *Historia General de las Indias* (Madrid: Real Academia de la Historia, 1851–1852).

poblada é de grand fertilidad é abundançia é mantenimientos').[97] Oviedo's descriptions of the American environment repeatedly noted its capacity for agricultural production, its good water and fertility, as well as its rich fisheries and pearl deposits. He meticulously described the richness of the land, flora, and fauna, which would become the commercial products of the Spanish Empire.

Despite European amazement at the wealth of the Aztec and Inca Empires in particular in the early days of conquest, during the colonial period Indigenous people came to be constructed as poor socio-culturally. In the mid sixteenth century, the Dominican friar Bartolomé de Las Casas and the humanist scholar Juan Ginés de Sepúlveda fought over the ontological status of the Indigenous Americans. In these debates, Sepúlveda followed the classic Aristotelian schema, describing the Indigenous Americans as '*homonculi*', little men, and arguing that they fitted the Aristotelian category of natural slaves. In his polemical writings, Las Casas sets out to demonstrate the humanity of the Indigenous Americans and in doing so often associates them with Christian virtues, contrasting their non-materialistic world views with the immoral greed of the conquistadores. He wrote: 'the nation is very poor and indigent, possessing little, and by reason that they gape not after temporal goods, neither proud nor ambitious.'[98] Both were struggling to define the Indigenous Americans in civilisational terms and contributed to their proto-racialisation as a distinct group.

Through the religiously inspired association with poverty, Indigenous people were constructed as weak and in need of protection. Las Casas himself was given the title of 'Protector of the Indians', a title subsequently granted to others, establishing a hierarchical relationship between Indigenous people who were cast as weak and colonisers who were cast as their protectors. Further, the systematic representation of Indigenous people in terms of characteristics such as docility, meekness, and obedience essentialised Indigenous people as different and contributed to the construction of a particular racial identity that was distinct from that of Europeans.[99]

Other missionaries, especially the Franciscan Order, continued the cultural codification of Indigenous Americans as poor, developing the discourse of Indigenous poverty far beyond the rhetoric of Las Casas. The Franciscan friar Toribio de Benavente Motolinía (1482–1568), who took his name from what he believed was Nahuatl for poverty,[100] meticulously described what he saw as the

[97] Oviedo, *Historia General de las Indias*, vol. II, Lib. XXIV, 243.
[98] Bartolomé de Las Casas, *Tears of the Indians*, trans. Arthur Helps (Williamstown: Mass, J. Lilburne, 1970), 8.
[99] Diego A. von Vacano, *The Colour of Citizenship: Race, Modernity, and Latin American/Hispanic Political Thought* (Oxford: Oxford University Press, 2012). See also Julia McClure, 'Poverty and Race', in Nicholas Terpstra ed., *The Cultural History of Poverty* (London: Bloomsbury, forthcoming).
[100] See also Julia McClure, 'Translating Franciscan Poverty in Colonial Latin America', in Jenny Mander, David Midgley, and Christine D. Beaule eds, *Transnational Perspectives on the Conquest and Colonization of Latin America* (New York: Routledge, 2019), 39–60.

Indigenous people's affinity for poverty. He was opposed to Las Casas's denunciation of the Spanish conquest, since he saw the conquest as necessary for the salvation of Indigenous peoples. Motolinía imagined Indigenous Americans embracing poverty in return for receiving the Christian religion. When describing an Indigenous person paying a priest in gold for confession, Motolinía wrote that 'he preferred to be impoverished than to be denied absolution'.[101]

While many Indigenous societies were hierarchical, had groups of people who had fewer resources than others, and experienced resource scarcity, they did not necessarily have a concept of poverty that was comparable to those that had been developed by the intellectual traditions of Europe which the colonists brought with them. When European colonists arrived in the Americas, they began translating European concepts of poverty into Indigenous languages. The Franciscan Order, which had a very particular ideological concept of poverty, played an important role in understanding Indigenous languages and producing the apparatus for translations. The first Spanish-Indigenous dictionaries produced by missionaries in the sixteenth century tried to find synonyms for concepts that could be associated with poverty in order to create translations of the idea of poverty into Indigenous societies in the Americas.[102] In 1555 the Franciscan Alonso de Molina completed the first Spanish-Nahuatl dictionary (an expanded edition appeared in 1571), and he translated the word poverty into Nahuatl using a range of value-laden associations, especially with concepts of humility and supplication.[103] This process indicates that a specific concept of poverty was not readily available to translators, and that the creation of a concept of poverty in the Americas was part of the process of colonisation.

The Franciscan missionary Diego de Landa (1524–79) travelled to Yucatán (southern Mexico) in 1549; in 1566 he wrote *Relación de las cosas de Yucatán*, one of the earliest colonial accounts of the Maya region. De Landa also described an abundant land, but amidst this abundance also began to describe the people as poor. As he arrived in the coastal region of the Yucatán, de Landa described how the fish could feed many people, and that during the rainy reason (April to September) the people planted maize, which matured despite the constant rain.[104] He learned that one of the first provinces he passed through in the Yucatán was called 'the land of turkeys and deer',[105] an indication of their abundance. He described the region between Tabasco and Yucatán as having a great lake as 'abundant in all fish', with a great diversity of marine birds around the coast, and

[101] Motolinía, *History of the Indians of New Spain*, 143.
[102] See Julia McClure, 'Translating Franciscan Poverty in Colonial Latin America', 39–60. See also Megged, *Exporting the Catholic Reformation*.
[103] Alonso de Molina, *Vocabulario en Lengua Castellana y Mexicana* (Mexico: en casa de Antonio de Spinolo, 1571), 96 and 85.
[104] Diego de Landa, *Relación de las cosas de Yucatán*, ed. Miguel Rivera Dorado (Madrid: Alianza Editorial, 2017), 100–1.
[105] Ibid., 101.

added that 'there is an infinite hunting of deer, rabbits, the pigs of this land, and monkeys'.[106] On his journey through the Yucatán, de Landa described the different agricultural practices, food traditions, and ceremonies of the Maya. He mentioned the presence of both rich and poor people in these societies. De Landa described bad lords that oppressed and enslaved the poor,[107] and commented that the Indigenous lords mocked the Franciscans for treating the poor with respect.[108]

The Franciscans idealised the Indigenous Americans as poor to distinguish them from what they saw as the moral corruption of the Old World and the greed of the conquistadores. This was part of their politico-religious project to create a New World with the Indigenous Americans founded upon Holy Poverty, which was a particular eschatological belief of some Franciscans.[109] In 1536 Juan de Zumárraga established the Colegio de Santa Cruz in Tlatelolco,[110] which was designed to educate Indigenous Americans in theology and the liberal arts, and exposed students to specific Franciscan beliefs about the moral-religious importance of poverty. At the Colegio de Santa Cruz, the Franciscan Bernardino de Sahagún co-produced with Indigenous scribes the monumental twelve-volume survey of Aztec society. In Book 9, concerning merchants and officials, Aztec merchants are described as humble, ready to lower themselves, and not desiring to be rich.[111]

The descriptions of Aztec beliefs contained within the Florentine Codex are syncretic, blending notions of Indigenous beliefs with the Christian-Franciscan ideas that were being taught. For the Franciscans, Christ's suffering of poverty, hardships, and ultimately death, was central to the salvation function of the Christian religion, and those enduring poverty could be considered more morally virtuous and closer to salvation. In Book 6, concerning rhetoric and moral philosophy, Indigenous American commoners are described as praying to the god of providence, Tezcatlipoca, concerning the poverty they endured, in a way that echoes contemporary descriptions of the suffering of Christ and the Christian appeal to God for mercy: 'Ah, thou understandest, thou hearest that the common folk endure suffering, endure fatigue, live in want on earth.... O our lord, O master of the necessities of life, who as sweetness, fragrance, riches, wealth: show mercy, have compassion for thy common folk'.[112] Later in book six Aztec warriors are described as poor and welcoming death in a way that echoes descriptions of Christian martyrs: '[A]nd here, in truth, poor is the poor eagle warrior, the poor

[106] Ibid., 103. [107] Ibid., 122. [108] Ibid., 162.
[109] See Julia McClure, *The Franciscan Invention of the New World* (Basingstoke: Palgrave, 2016).
[110] For a study focusing on this see F. B. Steck, *El Primer colegio de América, Santa Cruz de Tlatelolco* (Mexico DF: Centro de estudios franciscanos, 1944).
[111] Bernardino de Sahagún, *Historia general de las cosas de Nueva España*, vol. 3 (Mexico DF: Editorial Porrua, 1956), Book 9, 37.
[112] Sahagún, *Florentine Codex*, ed. Dibble and Anderson, Books 6, 7–9.

ocelot warrior, who desireth to die, who wisheth not to live, who thinketh of the desert, of the battlefield.'[113]

The Franciscan description of the Indigenous Americans as poor was not simply part of a general conversion to Christianity but a conversion to the principles of voluntary subjugation, acceptance of suffering and servitude. In another part of the prayer to Tezcatlipoca in the Florentine Codex, the poor Indigenous Americans are described as desiring to be governed: 'O, the poor, the governed, who seek their mother, their father; who require their mother, their father, who desire to be governed.'[114] As we shall also see in Chapter 3, the description of the Indigenous people as poor was not ideologically neutral but part of their construction as colonial subjects, often through the paternalistic language of caring for children.

Alonso de Zorita (*c.*1511–*c.*1585), a judge of the *Audiencia* of Mexico between 1556 and 1564, described Indigenous Americans in a way that both contributed to their defence in the face of colonialism and the construction of their colonial subjectivity. Zorita described Indigenous rulers in terms of Christian justice, noting that 'even though they lacked the knowledge of the true God', they suffered hardships for their duties and gave alms to the poor.[115] He also described them as people who were long-suffering 'by nature', humble and obedient.[116] Such descriptions contributed to the rhetorical construction of Indigenous colonial subjectivity.

In the centuries that followed the early colonial encounter, despite the manifest diversity and abundance of their societies, Indigenous people were repeatedly described as poor. For sure, the European colonisation of the Americas caused the economic impoverishment of Indigenous societies, but the description of Indigenous societies as poor was not an acknowledgement of this process but rather served more complex functions in political-economic thought.

As scholars developed theories of natural law and historical theories of the development of political societies and economic modes of production, they rhetorically referred to representations of Indigenous people to support their theories.[117]

In intellectual histories of property, Indigenous societies were often represented as examples of societies existing without property, as humans were imagined in the state of nature before the Fall. In 1625 Hugo Grotius (1583–1645), published *De jure belli ac pacis* (*On the Law of War and Peace*), regarded as contributing to the foundations of international law. He described the origins of

[113] Ibid., 23. [114] Ibid., 23.
[115] Alonso de Zorita, *Relación de los señores de la Nueva España*, ed. Germán Vázquez (Madrid: Historia 16, 1992), 61.
[116] Zorita, *Relación de los señores de la Nueva España*, 59.
[117] For more on this see Stephanie B. Martens, *The Americas in Early Modern Political Theory, States of Nature and Aboriginality* (Basingstoke: Palgrave, 2016).

property and how everything had been common in the original condition of the human race, and 'each man could at once take whatever he wished for his own needs, and could consume whatever was capable of being consumed'.[118] Grotius compared the so-called 'primitive state' to the Americas, writing: '[T]his primitive state might have lasted if men had continued in great simplicity or had lived on terms of mutual affection such as rarely appears. Of these two conditions, one, exemplified in the community of property arising from extreme simplicity, may be seen among certain tribes in America, which have lived for many generations in such a condition without inconvenience.'[119] John Locke (1632–1704), in his *Two Treatises of Government* (published anonymously in 1689) similarly compared the Americas to the original state of man in nature. In his chapter on the state of nature, he refers to 'an Indian, in the Woods of America' as an example of someone living in the state of nature.[120] Locke wrote that 'in the beginning all the world was America, and more so than that is now; for no such thing as Money was any where known', describing America as a land not only without property but also currency.[121] Locke used a representation of the Indigenous Americans as poor, not only without property but also without industry, to explain his labour theory of value:

> for I ask, whether in the wild woods and uncultivated waste of America left to nature, without any improvement, tillage, or husbandry, a thousand acres yield the needy and wretched inhabitants as many conveniences of life as ten acres equally fertile land do in Devonshire, where they are cultivated?[122]

Locke described Indigenous Americans as poor not simply because they were without property but because they were without the industrious labour that improved land. This theory of improvement was used to justify British colonialism in North America.

The idea of Indigenous people, and their supposed lack of property, played very different roles in the history of European political thought in the early modern period. Thomas Hobbes (1588–1679) famously had a negative view of human nature and therefore the emergence of a particular kind of governance was necessary to avoid the chaos of civil war. He also represented the Indigenous Americans as living in a primitive state: 'For the s*vage people in many places of *America*, except the government of small Families, the concord whereof dependeth on natural lust, have no government at all; and live at this day in that brutish

[118] Hugo Grotius, *On the Law of War and Peace, Student Edition*, ed. Stephen C. Neff (Cambridge: Cambridge University Press, 2012), 92.
[119] Ibid., 93.
[120] John Locke, *Two Treatises of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1988, reprinted 2002), 277.
[121] Ibid., 301. [122] Ibid., 294.

manner.'[123] Hobbes described the Indigenous Americans as materially and politically poor, for example without the knowledge of the materials to build a house that would last,'[124] which for Hobbes was not just a comment on their material conditions but the political state of their societies.

Writing much later, and in a very different political context, Jean-Jacques Rousseau (1712–78) also used representations of the Indigenous Americans to illustrate a very different impression of human nature. In a note in his discourse of inequality, Rousseau wrote: 'I dare not speak of happy Nations which do not know even the names of the vices we find it so difficult to repress, those savages of America whose simple and natural polity Montaigne unhesitatingly prefers not only to Plato's Laws but even to everything that philosophy could ever imagine as most perfect for the government of Peoples.'[125] Rousseau is often thought to have invented the idea of the 'noble savage', but this has been subject to debate.[126] Throughout the early modern period, European theories of natural law and moral-political economic order were shaped by European imaginings of the New World and its peoples.

Theories of classical political economy developed in the eighteenth century elaborated a global taxonomy of wealth and poverty which viewed more commercialised and capitalised societies as inherently wealthier than so-called hunter-gatherer societies which were equated with poverty. Adam Smith was one of the key contributors to theories of classical political economy. In his *An Inquiry into the Nature and Causes of the Wealth of Nations* (1776), he argued that, if they worked, people in more advanced societies would always be wealthier than people in the 'rudest' or 's*vage' societies of hunter-gatherers. Smith was elaborating the four-stage theory of history, whereby societies passed from the hunter-gatherer to the pastoral, to the agricultural, to the commercial, which had been developed by European scholars throughout the early modern period.[127] As the four-stage theory of history was elaborated by classical political economy, societies that were classed as hunter-gatherers (applied to whole continents regardless of the varied modes of production of their different societies) came to be classed as poor and needing to develop economically.[128] Smith repeatedly referred to Indigenous Americans (he gives the example of Indigenous people in North America) as the quintessential example of hunter-gatherer societies supposedly

[123] Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 2004), 89.
[124] Thomas Hobbes, *Leviathan*, 232.
[125] Jean-Jacques Rousseau, *Discourse on the Origin and Foundations of Inequality among Men or Second Discourse*, ed. Victor Gourevitch (Cambridge: Cambridge University Press, 2021), 113–239.
[126] See Ter Ellingson, *The Myth of the Noble Savage* (Berkeley: University of California Press, 2001).
[127] Ronald L. Meek, *Social Science and the Ignoble Savage* (Cambridge: Cambridge University Press, 1976).
[128] Adam Smith, *The Wealth of Nations: Books I–III*, (London: Penguin, 1986), 104–5.

living in this state of 'universal poverty'.[129] Smith argued that in 'civilised nations', 'even of the lowest and poorest order, if he is frugal and industrious, may enjoy a greater share of the necessaries and conveniences of life than it is possible for any s*vage to acquire'.[130] The myth of Indigenous poverty played an important role in shaping his beliefs about political economy.

In the works of classical political economy, poverty was not just an economic condition but also moral and civilisational. Smith described the Americas as a place inhabited by hunter-gatherers who were driven beyond the boundaries of civilised behaviour by their extreme poverty. He wrote that hunter-gatherer societies were 'so miserably poor that, from mere want, they are frequently reduced, or, at least, think themselves reduced, to the necessity of directly destroying, and sometimes of abandoning their infants, their old people, and those afflicted with lingering diseases, to perish with hunger, or to be devoured by beasts'.[131]

In summary, on the eve of European colonisation, the Americas were home to a diverse range of complex societies with different technologies for abundance. Like all pre-modern societies, they could be prone to resource scarcity, and had their own moral economies and strategies to mobilise socio-environmental resources to mitigate the risks of resource scarcity. Many of these societies were socio-economically stratified, with people who were socio-economically richer and poorer, but concepts of poverty and wealth were not necessarily the same as those that had developed through the intellectual traditions of medieval Europe. When Europeans arrived in the Americas, they began to create an ideological distinction between the wealth of the land and the people, which they began to describe as poor. The rhetorical construction of Indigenous people as poor, despite their abundance, was partly a lack of understanding of different value regimes around the world, and part of an ideological move to translate Indigenous people as colonial subjects in waiting, needing to be looked after like poor people in Europe. As we will see in the next chapters, the idea of Indigenous poverty came to play an important role in the history of political and economic thought in early modern Europe. In the Americas, the construction of Indigenous people as poor went beyond a rhetorical gesture and was fundamental to the creation of colonial society.

Empire of Poverty: The Moral-Political Economy of the Spanish Empire. Julia McClure, Oxford University Press.
© Julia McClure 2024. DOI: 10.1093/9780198933908.003.0003

[129] Adam Smith, *The Wealth of Nations: Books IV–V*, (London: Penguin, 1999), Book 5, 300.
[130] Adam Smith, *The Wealth of Nations: Books I–III*, 104–5.
[131] Ibid.

3

The Moral-Political Economy of Poverty and Theories of Global Sovereignty

Medieval rulers aspired to be *dominus totius mundi* (lord of all the world), but this aspiration acquired new significance as Europeans began their projects of global imperialism in the fifteenth and sixteenth centuries. Legal and political scholars helped lay the ideological foundations for global empires. This chapter examines how the moral-political economy of poverty, the obligation to provide justice, welfare, and protection to the poor, was important to the global theories of sovereignty that were developed to justify the Spanish Empire in the sixteenth century. The first Habsburg ruler came to power amid constitutional crises and needed to negotiate more expansive articulations of sovereignty. Initial disruptions to the traditional moral-political economy led to the *comuneros* revolt, which questioned the authority of Charles of Habsburg in the Iberian Peninsula and the dangers of a monarchy becoming an empire. At the same time that the Spanish Crown was trying to extend its claims globally, scholars and commentators were concerned with the meaning and boundaries of sovereignty. Ontological questions concerning the nature of Indigenous Americans were part of a broader moral-political exploration of the nature of man and the requirements of good government. This questioning about the nature of man and the moral objectives of the political community engendered new theories on global sovereignty, its boundaries, and the possibilities for international relations.

Roman imperial law and medieval canon law had established a precedent for rulers to make claims to sovereignty in territories beyond their borders. In medieval Europe, these longer-range sovereign claims had often concerned islands.[1] For example, in 1091 the papacy had granted Ireland to the English king, Henry II, and in 1344 Pope Clement VI granted the Canary Islands to the Castilian prince Luis de la Cerda. The Iberian powers' claims to sovereignty across the Atlantic followed this medieval tradition. In 1493 Pope Alexander VI granted the territories to be discovered across the Atlantic to Spain in the papal bull *Inter*

[1] Luis Weckmann, *Las bulas alejandrinas de 1493 y la teoría política del Papado medieval: estudio de la supremacía papal sobre islas, 1091–1493* (México, DF: Univ. Nacional Autónoma de México, Instituto de Historia, 1949), 33.

Caetera (in 1494 the Spanish and Portuguese monarchs agreed to modify this and divide the world along the meridian of 370 leagues in the Treaty of Tordesilla).[2]

While the 1493 papal bulls gave the Spanish monarchs' colonisation of the New World the veneer of legitimacy, the Spanish monarchs knew that this was a fragile claim to sovereignty. Only some canonists maintained that the papacy had such temporal authority to grant to anyone. In the fifteenth century, Lorenzo Valla (1407–57) had challenged the temporal authority of the papacy by showing that the foundation for this claim, the Donation of Constantine, whereby the newly converted Roman Emperor gifted his temporal authority to the papacy, was fraudulent. At the start of the sixteenth century, the Reformation further shook the legal and conceptual foundations of these papal grants. As Daragh Grant summarises, 'by challenging the very idea of a unitary Christendom, the Reformation irreparably fractured this medieval order', including notions of *dominus totius mundi*.[3] Given the late medieval challenges to papal authority, and its complete rejection by the newly emerging Protestant states, the Spanish monarchs had to find more secure theoretical foundations for claims to legitimate conquest beyond the papal bulls, which had been issued before the extent of the lands and peoples of the New World had been comprehended in Europe. The sixteenth century was a period of searching for theories of global sovereignty.

In 1513 King Ferdinand summoned a *junta* (council) to discuss the legitimacy of the conquest. This was a response to many complaints that the Crown had received about the treatment of the Indigenous Americans, which raised concerns also about the presence and actions of the conquistadores in the Americas. From the start of the sixteenth century, scholars engaged with the question of the global sovereignty of the Crown. Resulting theories of sovereignty often focused upon the moral-economic obligations of providing justice for the poor and weak and denounced the immorality and corruption of greed.

The climate of moral crisis, anxiety concerning the corrupting power of wealth, and changing notions of poverty and the place of the poor in society shaped the development of states and empires in the long sixteenth century. Charles of Habsburg, the first sovereign of the combined territories that became the Spanish Empire, came to power amid constitutional crisis. This political turmoil was shaped, in part, by anxieties that new forms of poverty and wealth (including those caused by global imperial expansion) were disrupting the traditional

[2] Alexander VI, *Inter caetera*, Papal Bull of 4 May 1493, in M. Giménez Fernández ed., *Nuevas Consideraciones sobre la historia, sentido y valor de las bulas Alejandrinas de 1493 referentes a las Indias* (Seville: Universidad de Sevilla, 1944), 165–94 (two versions), translation from Frances Gardiner Davenport ed., *European Treaties bearing on the History of the United States and its Dependencies to 1648* (Washington, DC: Carnegie Institute of Washington, 1917), 77. The concessions of this bull were echoed in another bull of the same date, *Eximiae Devotionis*, in Davenport ed. *European Treaties*, 64–7.

[3] Daragh Grant, 'Francisco de Vitoria and Alberico Gentili on the Juridical Status of Native American Polities', *Renaissance Quarterly*, 72 (2019), 910–52, 916.

moral-political economy. This is apparent in the words of the Trinitarian friar Alonso de Castrillo, writing in the wake of the constitutional crisis of the *comunero* revolt in 1521:

> But the world has been corrupted by various lines of greed, and in our times we see the whole order of nobility destroyed and perverted, and thus we feel that justice and faith, peace and virtue, are already slaves of greed. For those who were to live by justice, now live by interest; and those who were to live by peace, now steal; and those who were going to steal, do not stop so much for fear, as because they have nothing to steal; and those who all things that are born and expected from virtue, where Augustine affirms that every man is more like God, the more he is cleansed of this filthiness of covetousness, are already slaves of greed.[4]

In Castrillo's political writings we see the concern that the pursuit of wealth was causing a moral crisis that was changing the social and political order.

When Charles arrived in Spain in 1516, he had some understanding of the moral-political significance of poverty and providing for the poor. One of his first acts was to give approximately eleven million *maravedís* to institutions in the diocese of Toledo, 'as long as they exercise continual care of the poor'.[5] As we will see in the next chapter, during the long sixteenth century the Habsburg rulers realised a number of welfare reforms and poor laws that changed the way the poor were identified and governed in society and these changes contributed to the development of state and empire in the early modern period. The Crown also needed to develop more expansive theories of sovereignty to justify their increasingly global claims.

Poverty and Power in the Medieval Iberian World

Protecting and providing for the poor was embedded in the concepts and practices of sovereignty that emerged across medieval Europe, and these were particularly important in the Iberian Peninsula. During the Middle Ages and into the early modern period, rulers did not have arbitrary or unrestrained power. Rulers had to present themselves as providers of justice to legitimate their sovereignty. The origins and driving forces of state formation are the subject on ongoing

[4] Alonso de Castrillo, *Tratado de República con otras historias y antigüedades* (Madrid: Centro de Estudios Políticos y Constitucionales, 2021), 207.

[5] Ramón Carande, *Carlos V y sus banqueros: La vida económica en Castilla (1516–1556)*, 3 vols (Madrid: Sociedad de Estudios y Publicaciones, vol. 2, 1944–65), 470., cited in Teresa Huguet-Termes, 'Madrid Hospitals and Welfare in the Context of the Hapsbug Empire', *Medical History*, 53: 29 (2009), 64–85, 68.

historiographical debate. The sociologist Charles Tilly argued that state formation was driven by capital and coercion, and that states developed the infrastructure for taxation in order to meet the costs of war.[6] But the logic of states was more than merely extractive, and there were reciprocal obligations if a ruler's power was to be legitimate. The medievalist Joseph R. Strayer argued that the authority of lay rulers developed according to their position as guarantors and distributors of justice, and that the development of institutions of justice laid the medieval foundations of the state.[7] While theories of economic determinism have had more traction in theories of state and empire formation, concepts and institutions of justice and welfare have played an important role both in the legitimation of state- and empire-making projects and for their capacity to raise revenues. In the late Middle Ages, legal scholars developed theories of sovereignty which centred upon the monarch's obligation to uphold justice. The medievalist Ernst Kantorowicz argued that in the Middle Ages the king transitioned from representing an important relation to sacrament and altar to a relation to law and justice.[8] Kantorowicz added that the metaphor of the king as an 'Image of Equity' and of an 'image of Justice' is very old',[9] and that as a public person he must act in the interests of the welfare of the community.[10]

In the twelfth and thirteenth centuries, classical texts began to influence political thought in Europe as the writings of thinkers such as Aristotle (384–322BCE) were translated into Latin. In his *Nichomachean Ethics*, Aristotle identified three types of political community: the one (monarchy), the few (aristocracy), the many (timocracy polity/republic). Aristotle also identified the deviations of these three types of government, namely tyranny, oligarchy, and democracy.[11] In his view, good government should promote justice and well-being.[12] Aristotle described justice as a virtue comprised of lawfulness and fairness.[13] Aristotle identified two forms of justice, distributive justice based on a notion of *equitas*, where resources are distributed according to the different merit or status of different parties, and commutative or corrective justice. Aristotle defined a king as someone who cares for his subjects 'with a view to their well-being, as a shepherd does his sheep'.[14] Scholastic thinkers such as Aquinas had established the place for Aristotelian thought within Christian moral philosophy in the thirteenth century. Aquinas wrote comprehensively on the theory of state. He explored the principle of justice at work in theories of sovereignty, writing:

[6] See Charles Tilly, *Coercion, Capital, and European States, AD 990–1992* (Cambridge: Blackwell, 1990).

[7] See Joseph R. Strayer, *On the Medieval Origins of the Modern State* (Princeton, NJ: Princeton University Press, 1970, First Princeton Classics Edition, 2016).

[8] Ernst Kantorowicz, *The King's Two Bodies* (Princeton, NJ: Princeton University Press, 1957), 94.

[9] Ibid., 94. [10] Ibid., 95.

[11] Aristotle, *Nichomachean Ethics*, trans. David Ross (Oxford: Oxford University Press, 2009), 154–5.

[12] Ibid., 156. [13] Ibid., 82–3. [14] Ibid., 156.

> [I]f, therefore, a community of free men is ordered by a ruler in such a way as to secure the common good, such a ruler will be right and just inasmuch as it is suitable to free men. If, however, the government is not directed towards the common good, but towards the private good of the ruler, rule of this kind will be unjust and perverted.

Like other thinkers he used the metaphor of Christian pastoralism to depict the ideal ruler as a shepherd concerned with the welfare of his flock;[15] he described shepherds' duty to feed their flocks to explain the principle of good government. In examining the causes of a ruler's just war, Aquinas cited Psalm 82:4: 'Deliver the poor and needy: rid them out of the hand of the wicked.' In his moral and political writings, Aquinas developed a theory of good government that was influenced by Aristotle and based upon the common good. These ideas influenced the neo-Scholastic and neo-Thomist trends in political thought that were important in the Iberian world in the sixteenth century.

In the fourteenth century, legal scholars known as the Postglossators, who studied the Roman and Canon law codes (*Corpus iuris civilis* and Corpus *iuris cononici*), developed theories of sovereignty, including the idea that the monarch could go beyond law if they were acting in the interests of the public good and to uphold justice.[16] J. B. Owens explains that, when Spanish monarchs began to articulate claims to absolute royal authority (a *plenitude potestatis*) in the fifteenth century, they had to be understood as acting to uphold justice and the public good or they would undermine their power.[17] This came from the Roman principle that the princes were free from the ties of the law as long as they were acting to realise justice for their subjects.[18] Owens argues that, when the notion of absolute monarchy emerged in Spain, Castilians understood this as someone who would 'provide the best means of obtaining good government, which they defined as the ability to provide for the commonwealth (*res publica, república*) justice, domestic tranquillity, and peace'.[19] Rulers had the ultimate obligation to uphold justice and could only exceed the law when it was for the common good.

The composite kingdoms of the Iberian Peninsula had parliaments (*cortes*) which had been founded by constitutions (*fueros, cartas pueblas, constituciones, capítulos*) which were important to the sovereignty of the Spanish imperial state. These constitutions had granted sovereign powers, for example the power to collect taxation, to the cities, which were represented by the *cortes*. As a result of the

[15] Thomas Aquinas, The treatise 'De regimine principum' or 'De regno', in R. W. Dyson ed., *St Thomas Aquinas Political Writings* (Cambridge: Cambridge University Press, 2002), 5–51, 9.
[16] J. B. Owens, 'The Conception of Absolute Royal Power in Sixteenth Century Castile', *Il Pensiero Politico*, 10: 3 (1977), 349–61.
[17] J. B. Owens, *'By My Absolute Royal Authority': Justice, and the Castilian Commonwealth at the Beginning of the First Global Age* (Rochester, NY: University of Rochester Press, 2005), 17–18.
[18] Owens, 'The Conception of Absolute Royal Power', 353.
[19] Owens, *By My Absolute Royal Authority*, 1.

privileges of auto-taxation (*encabezamiento*) enshrined in city constitutions, the Spanish Crown had to negotiate with the *cortes* in order to raise both direct and indirect taxation. This constitutional landscape was not simply the centuries-old legacy of the '*Reconquista*' but an evolving landscape, as the Crown continued to issue new contracts to villages that had formerly been subject to larger towns. The villages petitioned the Crown for jurisdictional independence, complaining that not having this status made them and the Crown poorer.[20] The underlying political structure of the Iberian Peninsula was closer to a confederacy of city states with their own constitutions and parliaments than is often acknowledged in comparative studies of Spain. This meant that the sovereignty of the Crown was negotiated.

The existence of these *fueros* and parliaments gave Spanish sovereignty a more contractual nature. As Antonio Dominguez Ortiz has also observed, the notion of social contract existed before Rousseau.[21] Medieval scholars explored notions of popular sovereignty, the idea that people transferred sovereignty to the ruler. This notion was enforced by the institutional landscape of the *cortes*. The monarch was obliged to offer returns for taxation, not least the upholding of justice, but also the provision of protection and welfare.

The 1469 union of the Crowns had established a fragile unity across the composite polities of the Spanish imperial state, but the constitutional landscape of the cities remained intact. The sovereignty of the Crown was not absolute, the monarch had to negotiate with the *cortes* and was obliged to offer returns for any demands. Any monarch who tried to disturb the finely balanced sovereignty of the Spanish imperial state would face the consequences, as the *comunero* revolt would show.

Constitutional Crisis and the *Comunero* Revolt (1520)

Charles of Habsburg came to the throne in Spain in 1516 amid constitutional crisis. He had inherited the newly conjoined Spanish Crowns of Castile and Aragon but had never been to Spain,[22] and came to Spain for the first time in 1517. More problematically, his mother, Joanna of Castile, known derogatorily as Juana la Loca (Joanna the Mad), was still alive. His sovereignty was by no means absolute, but negotiated across the patchwork of different polities. When the *cortes* first met in 1518 in Valladolid, they initially did not recognise him as king. The *cortes*

[20] Helen Nader, *Liberty in Absolutist Spain: The Habsburg Sale of Towns, 1516–1700* (Baltimore: Johns Hopkins University Press, 1990), for example 130–5.
[21] Domingo Ortiz, *The Golden Age of Spain 1516–1659* (New York: Basic Books, 1971), 8.
[22] Unlike his Spanish-born brother Ferdinand (1503–64, Ferdinand I of the Holy Roman Empire from 1556).

of Castile and Leon recognised Charles V as he promised to defend Spain,[23] while the *cortes* of Aragon recognised Charles as joint ruler with his mother. Given his precarious ascendance to the throne, his shallow understanding of the political landscape of the Iberian Peninsula, and his even shallower understanding of its languages, Charles would have been well advised to exercise caution on becoming the king of Spain. Instead, in his first years he disrupted the finely balanced constitutional arrangements of the towns and demonstrated a misunderstanding of the nature of his sovereignty.

Following the model of sovereignty and corresponding moral-political economy that had developed in the Iberian Peninsula in the Middle Ages, the king had to provide justice in return for taxation. In 1518 Charles asked the *procuradores* (legal representatives) of the *cortes* to raise more funds through taxation.[24] The *cortes* obliged but reminded Charles that he had obligations in return. Charles V swore an oath to uphold law,[25] and a Crown representative reiterated that Charles would protect the liberties of the cities.[26] The *procuradores* petitioned the Crown directly to explain that they would grant taxation in return for the maintenance of justice.[27] They also asked Charles for reforms to the process and distribution of justice. The *procuradores* wanted the Crown to maintain the moral-political economy, including tax exemption for those struck by epidemics and famines.[28]

In 1520 Charles needed funds to meet the cost for his election to be Holy Roman Emperor. Spanish citizens were sceptical of the implications of the Spanish king becoming an emperor, which was alien to the political traditions of Spain. They also saw this as a private cost of the king, and not part of the contract of taxation. Charles was seen as a foreigner, whose foreign wars were outside the remit of the public purse that was filled by Spanish taxpayers. Further, the towns expected justice and welfare in return for taxes.

The Crown had not taken actions to implement the reforms requested by the *cortes* in exchange for taxation in 1518. Charles had created enemies among people from across different statuses by trying to change the traditional political

[23] *Colección de documentos inéditos para la historia de España*, 2: 334, 'juramento de Carlos', cited in Aurelio Espinosa, *The Empire of the Cities* (Leiden; Boston: Brill, 2009), 53.

[24] AGS, *Patronato Real*, leg. 7, fol. 158, Feb 1518, cited in Auerlio Espinosa, *The Empire of the Cities: Emperor Charles V, the Comunero Revolt, and the Transformation of the Spanish System* (Leiden: Brill, 2008), 46.

[25] *Cortes de los antiguos reinos de León y Castilla* (CLC), 4: 260–3; Sandoval, *Historia del emperador*, 80: 125; Juan Ginés de Sepúlveda, *Obras completas: Historia de Carlos* V, bilingual edition by E. Rodríguez Peregrina (Pozoblanco: Ayuntamiento de Pozoblanco, 1995; 1780), 39 [lib. 2, 8], cited in Espinosa, *The Empire of the Cities*, 53.

[26] 'Proposición leída el 9 de febrero por el señor don Pedro Ruiz de la Mota en las Cortes de Valladolid 1518', AGS, *Patronato Real*, Cortes, leg. 8, fol. 1, cited in Espinosa, *The Empire of the Cities*, 54.

[27] For example, Petition 28, Sandoval, *Historia del emperador*, 80: 130; CLC, 4, 1520 Cortes, cited in Espinosa, *The Empire of the Cities*, 54.

[28] Sandoval, *Historia del emperador*, 80: *c.*120–30, 1520 Cortes cited in Espinosa, *The Empire of the Cities*, 55.

economy, ending the *encabezamiento* (the towns' privileges of self-taxation) and the tax exemptions of the *hidalgos* (nobility).

When Charles tried to raise more revenue in 1520, he encountered resistance. Charles's chancellor, Mercurino Gattinara, summoned the Castilian *cortes* to give more taxes, initiating the *comunero* revolt, or war of the communities. The uprising broke out in Toledo, where some on the city council tried to pass the approval for new Crown taxation by sending away opponents. Instead, a crowd assembled and drove out those prepared to pass the new taxation. The revolt was led by, among others, Juan de Padilla, who was part of an urban elite opposed to the threat to his tax-exempt status. The conflict escalated to military confrontation in Segovia, and unrest spread to other cities. The rebels established their own *cortes*, the *Santa Junta de las Comunidades* (Holy Assembly of the Communities), later renamed as the *Cortes y Junta General del Reino* (General Assembly of the Kingdom) as an alternative government to represent the autonomy of the cities. The swiftness with which the rebels established local self-governance gives insight into the political landscape and traditions of political economic autonomy within the cities. Further, the revolt was not a class war; it included rich and poor and had representatives from different status groups, all upset with the way the new monarch had disturbed the historic landscape of status, balance of power, and contractual obligation to provide justice. The Crown had also tried to increase the taxation of the Church, and consequently many religious personnel supported the rebels; one wrote to the king reminding him that 'he was chosen to rule and govern in peace and justice'.[29]

The manifesto and petition issued by the *Junta* in 1520 articulated the grievances of the *comuneros*, indicating that sovereignty came from upholding the public good. The 1520 demands of the *comuneros* indicated the importance of justice and just social order. They stated that the king should not decide the *corregidores* (district governors) but rather that these should be elected from each city and town and that both nobles and commoners should be elected, and that certain office holders should have a minimum age.[30] The demands of the *comuneros* also indicated concern for the public good and welfare of the people. They reminded Charles how moral-political economy functioned. For example, they demanded that the Crown could not export the key foodstuffs of bread and meat without the permission of the *cortes*.[31]

The *comuneros* were militarily defeated in 1521, but this did not mean it was a Crown victory or an indicator of the absolute power of the Spanish imperial state.

[29] 'Carta de un religioso sobre estos movimientos', in Prudencio de Sandoval ed., *Historia del Emperador Carlos V, rey de España*, vol. II (Madrid: P. Madoz y L. Sagasti, 1846), 105–16, 109.

[30] 'Capítulos de lo que ordenaban de pedir los de la junta', in Fernández de Navarrete, *Colección de documentos inéditos para la historia de España*, vol. 1 (Madrid: Imprenta de la viuda de calero, 1842), 272–83; for the original document see AGS, PTR, LEG, 3, DOC. 137.

[31] Ibid.

As Espinosa summarises: '[A]fter the comunero revolt, Castilians forged a constitutional commonwealth, an empire of autonomous cities and towns, and the post-*comunero* parliament provided a reform platform for a commonwealth of self-ruling republics.'[32] Similarly, Daniel Crews argued that 'Charles V's Spain had to establish its right to hegemony by maintaining justice and liberty in the cities it governed.'[33]

Charles had learned valuable lessons about the nature of his sovereignty and about the moral-political economy of his Iberian inheritance. The *comunero* revolt taught Charles that the expectations of the Crown to uphold justice and welfare in return for sovereign rights to taxation were more than rhetorical.

Following the resolution of the *comunero* revolt, Charles needed to innovate to standardise revenues for imperial state projects. Charles set about a programme of institutional reform and fiscal innovation, led by Juan Tavera (1472–1545), who was president of the council of Castile 1524–39. Tavera's reforms regularised Charles's taxation revenues, but Tavera also articulated concerns for maintaining moral-political economic order. He warned Charles about the dangers of over taxing, especially the poorest in society, and especially during periods of famine and epidemic, such as during the bad harvest of 1530–31.[34]

The Crown could raise taxation but had to demonstrate accountability and the provision of distributive justice. One result of the *comunero* revolt was that the Crown needed to demonstrate its obligations to the people, and especially its obligation to uphold law and justice in exchange for taxation. In 1522, to restore order in the wake of the *comunero* revolt, the Crown confirmed municipal autonomy, especially their power to tax themselves. The people expected law and justice to be upheld for the price of their taxation. This justice included socio-economic justice and the maintenance of welfare.

In 1523 the Crown granted a significant *merced* (reward) to the *cortes* of the right to address petitions and grievances before discussing subsidy amounts. This concession was a reminder that the Crown's sovereignty was contractual and dependent upon upholding the moral-political economy. Aurelio Espinosa reports that 'most of the demands that followed pertained to the economic welfare of the nation and the royal patrimony'.[35] The constitutional crisis of the *comunero* revolt reinforced the notion that the Crown's sovereignty was dependent upon its provision of welfare and justice. After the defeat of the *comuneros*, people petitioned the Crown for reparations for damages, and they saw this as part of the Crown's obligation to distribute justice. One letter from the

[32] Espinosa, *The Empire of the Cities*, 11.
[33] Daniel A. Crews, 'Juan de Valdes and the Comunero Revolt: An Essay on Spanish Civic Humanism', *Sixteenth Century Journal*, 33: 2 (1991), 233–52, 252.
[34] Tavera to Charles, 28 July 1532, AGS, Estado, leg. 24, fol. 184. Aurelio Espinosa, 'The Spanish Reformation: Institutional Reform, Taxation, and the Secularization of Ecclesiastical Properties under Charles V', *The Sixteenth Century Journal*, 37: 1 (2006), 3–24, 20.
[35] Espinosa, *The Empire of the Cities*, 113.

admiral of Castile to the emperor argued that, if they were not given payment for damages and services, they were being treated more like slaves than vassals.[36]

In 1521 Alonso de Castrillo published his *Tratado de república con otras historias y antigüedades*, responding to the political questions raised by the constitutional crisis brought about by the Habsburg succession to the Castilian Crown and the resulting *comunero* revolt. Castrillo's position was moderate, not denying the authority of Charles V as monarch but looking to the political traditions of Castile and questioning imperial claims. As Fernández-Santamaria summarises, he 'personifies the approach to the Castilian constitutional crisis which is both alien to imperial ideology and influentially shaped by the ideas of medieval constitutionalism'.[37] Castrillo was writing about republics, but as the editor of his *Tratado de República* also notes, this was not a political unit that was necessarily distinct from monarchy (the monarch could be the governor of the republic).[38]

Castrillo looked to the history of the emergence of human societies to explain that free men had come together to form the cities which constituted republics, that commoners made nobles and nobles made kings.[39] Castrillo reminded his readers that a good governor of the republic 'increased the common good and sustained the citizens in justice and peace' and were not corrupted by avarice.[40]

The *comunero* revolt interrogated Charles V's imperial claims in the Iberian Peninsula, reminding Charles that Iberian sovereignty was constituted through reciprocal obligations to provide justice and welfare in return for taxation. Challenges to this moral-political economy could result in unrest. Spanish subjects accepted monarchy if it safeguarded the common good of the commonwealth of city states, but they were sceptical of imperial claims, and their possible impact on the political and economic landscape of the Iberian Peninsula.

At the same time that Charles was reckoning with the limitations of his power and understanding the relationships of moral-economic governance with cities in the Iberian Peninsula, he was also attempting to extend the rule of the Spanish Empire in mainland America. The *comunero* revolt took place at the same time as Cortés' military defeat of the Aztec Empire (1519–21). When the Spanish conquistadores invaded the Aztec Empire, they encountered a network of city states (*altepetl*) with varying degrees of self-governance. These city states were absorbed into the Spanish Empire at the same time as the *comunero* revolt demonstrated the importance of local autonomy, and both processes shaped the pixelated sovereignty that came to characterise the Spanish imperial state.

[36] 'Carta del Almirante de Castilla al Emperador después que el Rey regresó á España' (Agosto de 1522), in Manuel Danvila y Collado ed., *Historia crítica y documentada de las comunidades de Castilla*, vol. 5 (Madrid: Real Academia de la Historia, 1899), 198–206, 199.
[37] J. A. Fernández-Santamaria, *The State, War and Peace* (Cambridge: Cambridge University Press, 1977), 14.
[38] Ángel Rivero, Prologue, in Alonso de Castrillo, *Tratado de República con otras historias y antigüedades* (Madrid: Centro de Estudios Políticos y Constitucionales, 2021), XI–CLIII, CXI.
[39] Castrillo, *Tratado de República con otras historias y antigüedades*, 198.
[40] Ibid., 223.

Global Sovereignty Theories

Following the constitutional crisis in Spain and the questions about legitimate sovereignty raised by the continuous expansion across the New World, the Habsburg monarch needed to find, clarify, and strengthen the conceptual foundations of the expanding imperial state. A number of scholars advanced political theories which supported Charles V's position and ambition. Notable among these was Charles V's chancellor, Mercurino di Gattinara (1465–1530), who contributed to the development of a theory of universal monarchy. In these theories of universal monarchy, the pastoral metaphor of one flock one shepherd ('*unum ovile et unus pastor*') (John 10:16) was often employed. The moral economy of protecting the poor and providing welfare, which had been important to medieval theories of state, continued to play a role in more global iterations of sovereignty required for the new imperial projects of the sixteenth century.[41]

Gattinara's theory of universal monarchy was a Christian and humanist vision of the Spanish imperial state based upon uniting all Christians and converting non-Christians. Gattinara has been described not only as the political educator of Charles but also the man who 'provided the vision of and justification for a world empire'.[42] Gattinara drew upon medieval theories of sovereignty, notably Dante's *Monarchy*. His vision of universal monarchy was deeply Christian and concerned with uniting all Christians under one monarch. Gattinara's political theory was more influenced by the New World than is often acknowledged.[43] In 1528 he was named a grand chancellor of the *Audiencia* of Santo Domingo and Mexico,[44] and he played a role in the governance of the Indies as he was one of founding fathers of the Council of the Indies and signed many royal *cédulas* (decrees).[45] When Bartolomé de Las Casas began to petition the Crown about the plight of his Indigenous American subjects, he addressed Gattinara, who he referred to as the grand chancellor (*el gran chanciller*). Spreading the faith was important to Gattinara's vision of universal monarchy. Gattinara also supported Las Casas's programme for peaceful colonisation in Venezuela (the Cumaná venture).[46]

[41] See also Julia McClure, 'Poverty and Empire', in D. Hitchcock and J. McClure eds, *The Routledge History of Poverty, 1450–1800* (Abingdon: Routledge, 2020), 39–59.

[42] John Miles Headley, 'Towards the Historical Recovery of Charles V's Grand Chancellor: Problems, Progress, Prospects', in Convengno di studi sotorici ed., *Mercurino Arborio di Gattinara, Gran Cancelliere di Carlo V, 450 Anniversario delle morte 1530–1980* (Vercelli: Coi tipi della S.E.T.E, 1982), 71–87, 73.

[43] For a discussion of this see Headley, 'Towards the Historical Recovery of Charles V's Grand Chancellor', 83.

[44] AGI, Patronato, 276, N.2, r13. He was succeeded upon his death by Diego de los Cobos, AGI, Indiferente, 422, L.15, F. 173r–174v.

[45] Headley, 'Towards the Historical Recovery of Charles V's Grand Chancellor', 83.

[46] Luigi Avonto, 'Documenti sulle indie nuove nell'árchivio di mercurino arborio de gattinara, gran cancilliere di carlo V', in Convengno di studi sotorici ed., *Mercurino Arborio di Gattinara, Gran Cancelliere di Carlo V, 450 Anniversario delle morte 1530–1980* (Vercelli: Coi tipi della S.E.T.E, 1982), 219–76, 232.

The Spanish humanist Juan Luis Vives also contributed to the development of more expansive theories of sovereignty. Vives's political theory was informed by moral anxiety concerning wealth and greed; as Fernandez Santamaria summarises, 'the Vivian citizen will disdain wealth, shun greed, and seek virtue as the only profitable gain'.[47] Like many of his contemporaries, Vives used the discourse of care and moral obligation as a justificatory framework of power: '[T]hus we conclude that the first care of the prudent prince who wishes to preserve his kingdom for himself and his successors shall be to turn himself and his subjects into worthy men.'[48]

Throughout the sixteenth century, political thinkers with differing visions of the ideal political community framed their political theories in terms of moral concerns and especially the moral obligations of the ruler to provide justice, care, and welfare to his subjects. These discourses were important to political theories of universal monarchy (*monarchia universalis*), which Anthony Pagden argues had all but replaced imperium as the key concept for aspirations to supranational authority by the end of the sixteenth century.[49]

The question of the boundaries of global sovereignty, particularly those raised by the sovereignty and rights of the Indigenous people of the New World, were taken up by scholars. At the School of Salamanca, there was renewed interest in medieval scholasticism, and the ideas of Thomas Aquinas, and his Christian reception of Aristotle, shaped the sixteenth-century debates on Spanish sovereignty in the Americas, and the sovereignty and rights of Indigenous peoples. Domingo de Soto discussed the rights of the Indigenous Americans in his 1535 lecture in which he argued that there was no basis for Spanish jurisdiction in the Americas, and Indigenous Americans were humans like the Spanish, with jurisdiction and property.[50] Francisco de Vitoria, one of the great protagonists of Second Scholasticism at Salamanca, examined the rights of the Indigenous Americans and the state of Spanish sovereignty in the Americas in his *De jure belli* (1532) and *De indis* (1539).

The Second Scholastic's concern with the legitimacy of the Spanish conquest was driven by anxiety about the motivations of the Spanish in the Americas. From the start of the sixteenth century, there were many denunciations of the greed of the conquistadores, and this challenged the Spanish sovereign's attempt to construct the moral-legal fiction of legitimacy in the Americas. Vitoria condemned

[47] Fernández-Santamaria, *The State, War and Peace*, 55.

[48] 'Obras completas de Juan Luis Vives', ed. and trans. L. Riber, 2 vols (Madrid: M. Aguilar, 1948), cited in Santamaria, *The State, War and Peace*, 55.

[49] Anthony Pagden, *Lords of All the World* (New Haven: Yale University Press, 1995), 43.

[50] Domingo de Soto, *Relección 'De dominio'. Edición crítica y traducción, con introducción*, apéndices e indices, ed. Jaime Brufau Prats (Granada: Universidad de Granada, 1964) § 34 (165): '…sed accipere ultra hoc bona illorum aut subiicere imperio nostro, no video unde habeamus tale is'. Cited in Martti Koskenniemi, 'Empire and International Law: The Real Spanish Contribution', *University of Toronto Law Journal*, 61 (2011), 1–36, 5 and 6, and fn 8.

the greed of the conquistadores and described the conquest of Peru as robbery.[51] These moral denunciations assisted the Crown's self-representation as the ultimate protector of Indigenous people, including from rogue conquistadores.

New theories of imperial legitimacy were rooted in medieval intellectual traditions which shaped the contours of the newly emerging moral-political economy of empire. In the thirteenth century, Thomas Aquinas had elaborated a Scholastic theory of state that posited that the pursuit of the common good was the central objective of the legitimate political community. The Thomistic framework dominating the trends of political thought emanating from the Second Scholastics placed the moral obligations for the provision of justice and welfare at the heart of legitimate political projects. This emphasis on the common good, welfare, and justice found in the work of Second Scholastics such as Vitoria, De Soto, Suarez, and Mariana, meant that balancing the moral-political economy was important to legitimate sovereignty.

In his lecture 'On Civil Power' (*De potestate civili*) (1528), Vitoria argued that the goal of the state, 'the purpose and utility of public power', was to ensure the safety of mankind and that it was the purpose of the ruler to uphold the common good.[52] He argued that 'the civil community (*civitas*) would be sundered unless there were some overseeing providence to guard public property and look after the common good'.[53] He saw the final cause of secular power as the protection of the common good.[54] In his lecture 'On Law', Vitoria cited Aquinas, writing that 'every law is shaped to the common good, the proof being that the last end of human living is happiness, and other ends are ordered towards the last end'.[55] In his *De justitia et jure libri* (translated from Latin to Spanish as *Tratado de la Justicia y El Derecho*) (1553), Domingo de Soto argued that the law was for the common good, which is directed towards the tranquillity and peace of society.[56] Martín de Azpilcueta (whom we encountered in Chapter 1 for his contributions to Scholastic monetary theory) went further, arguing that "the kingdom does not belong to the king, but to the community; by virtue of natural law, royal power belongs to the community and not to the king; therefore the community can never wholly abdicate that power".[57] Spanish Jesuit thinker Francisco Suárez (1548–1617) in his *Tractatus de legibus* (1613) argued that 'law was the ordering of

[51] Francisco de Vitoria, 'Letter to Miguel de Arcos, OP, Salamanca, 8 November [1534]', in Anthony Pagden and Jeremy Lawrance eds, *Vitoria: Political Writings* (Cambridge: Cambridge University Press, 1991), 331–3.

[52] Franciso de Vitoria, 'On Civil Power', in Anthony Pagden and Jeremy Lawrance eds, *Vitoria: Political Writings* (Cambridge: Cambridge University Press, 1991), 1–44, 9 and 14.

[53] Vitoria, 'On Civil Power', 9. [54] Vitoria, 'On Civil Power', 9–10.

[55] Vitoria, 'On Law: Lectures on ST I–II. 90–105', in Anthony Pagden and Jeremy Lawrance eds, *Vitoria: Political Writings* (Cambridge: Cambridge University Press, 1991), 153–204, 157.

[56] Domingo de Soto, *Tratado de la Justicia y El Derecho* (Madrid: Editorial Reus (S.A.), 1922), Book 1, Question 1, Article 4, 24–8.

[57] Relectio in c. Novit, De iudiciis, notabile 3, nr. 101, Citation and translation from the Rome 1575 edition by Wim Decock; Wim Decock, 'Martín de Azpilcueta', in Rafael Domingo and Javier

reason toward the common good, promulgated by the one charged with care of the community'.[58]

De Soto's treatise on law and justice concerned not only citizens in the Habsburg Empire in Europe but also the people of overseas territories being subjected to Spanish imperialism. In his explanation that law should always be directed by the common good, he explained that these principles of justice extended to Spain's conduct overseas. He wrote:

> if we were to acquire the overseas kingdoms only so that all their riches would come to Spain, and their laws would be straightened to our advantage, namely, as if they were our slaves, there would be no decorum of equity.[59]

Here de Soto indicated that if Spain extracted wealth from overseas territories then it had the moral-political obligations of upholding proportional justice. De Soto's treatise concerned not only the rights of domestic citizens but also the rights of people in other parts of the world.[60]

Notions of poverty and charity were important to Vitoria's theory of sovereignty. Vitoria saw man as weak and destitute when alone in nature. He explained that humans needed to join together in society because they were 'frail, weak, helpless, and vulnerable, destitute of all defence and lacking in all things…So it was that, in order to make up for these natural deficiencies, mankind was obliged to give up the solitary nomadic life of animals, and to live life in partnership (*societates*), each supporting the other.'[61] For Vitoria, the bonds of interdependence, the need to provide for and protect each other, constituted the first society and these moral obligations informed the basis of good government.

Vitoria saw the state as coming into being for the protection and welfare of man.[62] Vitoria's *On Civil Power* (1528) set out a theory of state drawn from Aristotelian and Thomistic notions of political community. Vitoria argued first that the ultimate role of good governance was the common good, which he understood as a matter of justice. He touched upon the Aristotelian schema of different forms of political community, but argued that monarchy was preferable: '[F]or my part I prefer to believe, with all the most honoured and wise people of earth, that monarchy is not merely equitable and just, but also of all forms of

Martínez-Torrón eds, *Great Christian Jurists in Spanish History* (Cambridge: Cambridge University Press, 2018), 116–33, 116.

[58] Suárez, *De legibus* (19–20), 68 (1.12.3) cited in Brian Owensby, *Empire of Law and Indian Justice in Colonial Mexico* (Stanford: Stanford University Press, 2008), 65 (reference in fn 51).

[59] De Soto, *Tratado de la Justicia y El Derecho*, 27.

[60] For more on the significance of de Soto's legal treatise see Juan Cruz ed., *La Ley Natural Como Fundamento Moral y Jurídico en Domingo de Soto* (Barañáin: Ediciones Universidad de Navarra, SA (EUNSA), 2007).

[61] Vitoria, 'On Civil Power', 7.

[62] Fernández-Santamaria, *The State, War and Peace*, 69.

government the most excellent and convenient to the commonwealth.'[63] However, the power of the monarchy was in no way absolute. Vitoria considered the history of the emergence of political communities to remind people that if a prince had *dominium* (understood as jurisdiction and ownership) over the commonwealth, it was because the community had conferred it.[64] Vitoria contended:

> since the [commonwealth] possesses power over its own parts, and since this power cannot be exercised by the multitude (which could not conveniently make laws and issue edicts, settle disputes and punch transgressors), it has therefore been necessary that the administration of the [commonwealth] should be entrusted to the care of some person or persons (and it matters not whether this power is entrusted to one or to many); it has not been impossible, then, to transfer a power identical with the power of the [commonwealth].[65]

In Vitoria's theory of sovereignty the ultimate purpose of the political community was the common good. Here Vitoria indicated that power came from the people, following the idea of *lex regia*, that people transfer authority to the ruler. However, as others have noted, Vitoria's theory of the origins of power was contradictory as elsewhere he indicated that power was from God; he had a notion of 'providential power' that was critiqued by many of his contemporaries.[66] Toy-Fung Tung notes that this tension is understandable since 'sovereignty in Vitoria depends as much upon the communal body's sovereignty as the sovereign head's authority'.[67] Vitoria contributed to more expansive theories of sovereignty but ultimately power was conferred by communities, and governing needed to be in their interests.

Vitoria opposed the notion that Spanish monarch could be emperor of the world, writing: '[T]he Emperor is not the lord of the whole world, and, even if he were, he would not therefore be entitled to seize the provinces of the Indians, to put down their lords, to raise up new ones, and to levy taxes.'[68] Pagden argued that Vitoria's 'attempt to sketch out the possible conditions for a *respublica totius orbis* was certainly one crucial component in a prolonged struggle to create a language it which it might be possible to frame the universal juridical order'.[69]

[63] Vitoria, 'On Civil Power', 20.
[64] Vitoria's commentary on the secunda secundae in Comentarios, 4.2.2 (290a–b), cited in Koskenniemi, 'Empire and International Law', 16.
[65] Vitoria, DPC, LXXVIII, cited in Fernández-Santamaria, *The State, War and Peace*, 72.
[66] See Quentin Skinner, *Foundations of Modern Political Thought*, vol. 2, *The Age of Reformation* (Cambridge: Cambridge University Press, 1978), 140.
[67] Tung Toy-Fung, 'Vitoria's Ideas of Supernatural and Natural Sovereignty: Adam and Eve's Marriage, the Uncivil Amerindians, and the Global Christian Nation', *Journal of the History of Ideas*, 75: 1 (2014), 45–68, 47.
[68] Vitoria, 'On the American Indians' (*De indis*), cited in Lesley Byrd Simpson, *The Encomienda in New Spain: The Beginning of Spanish Mexico* (Berkeley: University of California Press, 1950, ACLS Humanities E-Book XML edition 2008), 128.
[69] Anthony Pagden, 'Introduction: Francisco de Vitoria and the Origins of the Modern Global Order', in José María Beneyto and Justo Corti Varela, eds, *At the Origins of Modernity: Francisco de Vitoria and the Discovery of International Law* (Springer International, 2017), 1–17, 16.

Significantly, Vitoria recognised the sovereignty of the Indigenous Americans. As early as 1538 he pronounced that 'it should not be a matter of doubt that legitimate princes and potentates may exist among the heathen'.[70] In his speech, 'On the American Indians' (*De indis*) (1539), Vitoria recognised the Indian communities as true commonwealths; in discussing the possibilities for just Spanish rule, Vitoria explained that as a commonwealth the majority could voluntarily elect the Spanish as rulers.[71] The Spanish Empire did recognise the descendants of pre-invasion Indigenous rulers such as Moctezuma, and the local lords of city states, and many Indigenous people petitioned the Spanish Crown for resources in recognition of their ancestral status.

Vitoria contributed to a global theory of sovereignty with his discussions of *ius gentium* (the law of nations) and natural law, which he saw as universal. On *ius gentium* he wrote:

> from what has been said we may infer…that the law of nations does not have the force merely of pacts of agreements between men, but has the validity of positive enactment (lex). The whole world, which is in a sense a commonwealth, has the power to enact laws which are just and convenient to all men; and these make up the law of nations. From this it follows that those who break the law of nations, whether in peace or in war, are committing mortal crimes, at any rate in the case of the graver transgressions such as violating the immunity of ambassadors. No kingdom may choose to ignore this law of nation, because it is the sanction of the whole world.[72]

This passage seems to indicate an equality of nations within a global commonwealth. Pablo Zapatero summarises: '[H]is ideas integrate the *res publica* within a wider community of independent entities that together make up the entire globe and are subject to the rights and obligations deriving from the law of peoples.'[73] As I have also argued elsewhere, not everyone was equal in the global order imagined by Vitoria, who also laid the foundations for imperial inequalities.[74]

Having dismissed multiple motivations for the Spanish invasion of the Americas as illegitimate, Vitoria set out a number of possible legitimate reasons for Spanish conquest and rule in the Americas and in doing to made his contribution to new theories of global sovereignty. The moral-political discourses of care, protection, and resource distribution were important to the theories of

[70] Vitoria, DPC, lxxx, cited in Fernández-Santamaria, *The State, War and Peace*, 75.
[71] Vitoria, 'On the American Indians' (*De indis*), in Anthony Pagden and Jeremy Lawrence eds, *Vitoria: Political Writings* (Cambridge: Cambridge University Press, 1991), 231–92, 288.
[72] Vitoria, 'On Civil Power', 40.
[73] Pablo Zapatero, 'Legal Imagination in Vitoria. The Power of Ideas', *Journal of the History of International Law*, 11 (2009), 221–71, 226.
[74] Julia McClure, 'The Intellectual Foundations of Imperial Concepts of Inequality', *Journal of Global Intellectual History*, 9: 1–2 (2024) 18–35.

exceptionalism laid out by Vitoria. For Vitoria possible legitimate reasons for Spanish intervention in the Americas included humanitarianism, the right of commerce and hospitality, conversion, and the mental incapacity of the Indigenous.

Moral-political obligations of care and protection had been important to theories of sovereignty in Europe, and were used to construct colonial notions of sovereignty in the New World. Vitoria explained that:

> if some mischance were to carry off all the adult barbarians, leaving alive only the children and adolescents enjoying to some degree the use of reason but still in the age of boyhood and puberty, it is clear that princes could certainly take them into the care and govern them for as long as they remained children. But if this is admitted, it seems impossible to deny that the same can be done with their barbarian parents, given the supposed stupidity which those who have lived among them report of them, and which they say is much greater than that of children and madmen among other nations. Such an argument could be supported by the requirements of charity, since the barbarians are our neighbours and we are obliged to take care of their goods.[75]

This notion that some people were in need of protection contributed to emerging notions of civilisational inequality which came to structure the inequalities of the colonial world order. Georg Cavallar summarises that 'the civilization argument implies that one group of persons imposes on another their own thick conception of the good, pretending or really believing that it is for their welfare and happiness'.[76]

The Crown sought to establish the legitimacy of its sovereignty in the New World (to its European audience if not the Native Americans) by presenting itself as the protector and provider of the Indigenous Americans, establishing a direct relation between Crown and subjects. Colonial commentators had described Native Americans as 'meek' and 'docile', and this contributed to the rhetorical construction of their colonial subjectivity.[77] The Indigenous Americans came to be classed as '*personas miserables*', implying not only that they were poor but also that they were weak and in need of protection by the Crown. This depiction of the Indigenous Americans as poor and weak was central to the framing of the Dominican friar Bartolomé de Las Casas's defence of the Indigenous Americans. While Las Casas was attacking the excessive violence of the Spanish conquistadores, it is also possible that this denunciation helped the Crown present itself as

[75] Vitoria, 'On the American Indians', 291.
[76] Georg Cavallar, 'Vitoria, Grotius, Pufendorf, Wolff and Vattel: Accomplices of European Colonialism and Exploitation or True Cosmopolitans?', *Journal of the History of International Law*, 10 (2008), 181–209, 194.
[77] This trope begins in the diaries of Christopher Columbus.

the ultimate protector of the Indigenous Americans, including against the overreaching power of Spanish subjects.[78] Imperial subjects of all ethnicities, gender, and class petitioned the Crown directly, requesting economic resources, defending matters of social status, or complaining about violations. Petitioners used the political discourse that the Crown was their ultimate protector and provider. Depicting itself as the provider and protector of the weak and poor was part of the construction of the paternalistic authority that was the bedrock of the Spanish imperial state's sovereignty. The Crown instituted the office of *protector de naturales* (protector of the natives) as part of the paternalistic institutional infrastructure of imperial governance.

Vitoria also cited the Roman law of hospitality (*ius hospitii*) and the Christian doctrine of providing for strangers to argue that the Spanish, as strangers in need in a foreign land, should be provided for.[79] Vitoria also drew upon the Christocentric principle of hospitality. He reminded his audience that 'it is a law of nature to welcome strangers, this judgement is to be decreed amongst all men', and cited the Gospel of Matthew where Christ warned 'I was a stranger and ye took me not in' (Matt. 25:43).[80] Vitoria's use of the right to hospitality came under the title of 'natural partnership and communication' (*ius communicandi*) and included the right to travel and dwell in the Americas, the right to common property (such as 'running water and the open sea, rivers, and ports', and other natural resources such as gold or pearls), and the right to become citizens.[81] Vitoria explained that these rights, and especially the rights of trading and rest, were available to everyone according to *ius gentium*, the law of nations.[82] Vitoria argued that the Indigenous Americans had obligations to be charitable and look after the Spanish: '[S]uch an argument could be supported by the requirement of charity, since the barbarians are our neighbours and we are obliged to take care of their goods.'[83] This use of *ius hospitii* and charity as a justification for the Spanish Empire was later rejected by Melchor Cano, a pupil of Vitoria, who argued that charity cannot be coercive.[84] The Jesuit scholar Luis de Molina also criticised Vitoria's use of *ius communicandi*, the right to trade, commenting that European countries would not allow militaries for this reason.[85]

Despite Cano and Molina's critiques of Vitoria's vision of empire, which had placed the right to trade at the heart of the legal framework for international

[78] For example, Bartolomé de Las Casas, *A Short Account of the Destruction of the Indies*, ed. and trans., Nigel Griffen (London: Penguin, 1992), 60.
[79] Vitoria, 'On the American Indians', 279. See also Julia McClure, 'An [In]Hospitable World', in A. Brett, M. Donaldson, and M. Koskenniemi eds, *History, Politics, Law, Thinking Through the International* (Cambridge: Cambridge University Press, 2022), 231–52.
[80] Vitoria, 'On The American Indians', 279.
[81] Ibid., 278–84. [82] Ibid., 281. [83] Ibid., 291.
[84] Anthony Pagden, 'The School of Salamanca', in George Klosko ed., *The Oxford Handbook of the History of Political Philosophy* (Oxford: Oxford University Press, 2001), 245–57, 252.
[85] Koskenniemi, 'Empire and International Law, 9.

relations, this legal manoeuvre had long lasting consequences. As Koskenniemi observed, the European empires of the Netherlands and England, which followed Spain, 'understood the importance of the distinction concocted by the School of Salamanca; their imperialism was the imperialism of free trade, carried out by private companies through private transactions and private war'.[86] In his discussion of hospitality and trade in the right of nations, Vitoria had used the rhetoric of moral obligations of protection, welfare, and the distribution of resources to place trade and the appropriation of resources at the foundations of international law.[87] Moral-political economic discourses became part of the legal foundations of colonial capitalism.

Theories of universal monarchy continued to be developed later in the sixteenth century by Giovanni Botero in his *Ragion di Stato* (*Reason of State*) (1589), and Tommaso Campanella's (1568–1639) *De Monarchia monarchia hispanica* in 1600. Both of these scholars were responding to the challenges of the Catholic Reformation and the global expansion of Europe. While Botero never left Europe, he was informed by the increasingly global network of the Jesuit Order and writings such as José de Acosta's *Natural and Moral History of the Indies*, and was influenced by new ideas about the peoples of the world and their governability.[88] Campanella also did not travel, except, he said, in the mind, which could occupy a thousand worlds.[89] The Jesuit priest, Scholastic thinker, and humanist Juan de Mariana (1536–1624) also made an important contribution to the history of political thought and theories of sovereignty at the end of the sixteenth and start of the seventeenth century. Mariana was Spanish andeducated in Spain, but he also worked in Italy and France. Harald Braun argues that Mariana constituted 'the vanguard of a profound change in early modern Spanish political culture'.[90] Despite his novelty, Mariana was also similar to his contemporaries in using moral discourses, especially concerning the poor and the distribution of welfare, to develop political theories at the end of the sixteenth and start of the seventeenth century.

Botero was a significant political theorist whose ideas were important in the broader context of the Spanish Empire. Braun summarised that 'the challenge of re-conceptualizing the papal church with a view to early modern statehood, confessional conflict, and global expansion was a major concern for Botero'.[91]

[86] Ibid., 14.
[87] Ilenea Porras, 'Appropriating Nature: Commerce, Property, and the Commodification of Nature in the Law of Nations', *Leiden Journal of International Law*, 27 (2014), 641–60.
[88] See also John M. Headley, 'Geography and Empire in the Late Renaissance: Botero's Assignment, Western Universalism, and the Civilizing Process', *Renaissance Quarterly*, 53: 4 (2000), 1119–55.
[89] TC-Meta., I, 156 (XV.i1.v) cited in John M. Headley, *Tommaso Campanella and the Transformation of the World* (Princeton University Press, 1997), 5.
[90] Harald Braun, *Juan de Mariana and Early Modern Spanish Political Thought* (Aldershot: Ashgate, 2007), 164.
[91] Harald E. Braun, 'Knowledge and Counsel in Giovanni Botero's Ragion di Stato', *Journal of Jesuit Studies*, 4 (2017), 270–89, 272.

Although he lived in Italy, Botero was influenced by the Second Scholasticism of the School of Salamanca. His *Reason of State* outlined a model of Christian kingship where the prince's authority came from their obligation to help the poor: '[T]here is no work more royal nor more divine than to aid the poor. Nothing is more praised in Scripture over everything else than the mercy of God and the care and protection that he has for the suffering and the poor.'[92]

Botero emphasised the importance of welfare to the origin and legitimacy of good government, writing that 'without a doubt it is reputation which leads people to give the government of the republic to others, not to please or show favor to them but for the good and the welfare of the community'.[93] Throughout his text, Botero followed the humanist tradition and drew on classical sources. He recognised the importance of investing in public works to build a great state, giving the example of aqueducts, which provide cities with clean drinking water and hospitals.[94]

Botero contributed to the 'mirror for princes' genre of late medieval and early modern political writing. Whereas Machiavelli had recommended that it is better for the prince to be feared than loved,[95] Botero recommended that 'it is highly effective to encourage love for a prince if he gives up something himself in order not to burden or cause hardship for the people'.[96] Botero praised the example of the Duke of Savoy who was 'so kind towards the poor and so generous towards the needy, who engaged in no other pastime than to feed the hungry, clothe the naked, and provide to whomever need it'.[97] For Botero, the prince should be generous, and this generosity should reduce the need of the poor as well as maintain the equity of different status groups:

> liberality serves not only to raise the poor man out of his poverty but even more to foster and promote virtú because this sort of generosity, beyond the fact that it does not create envy since it is directed toward persons who merit it, fosters talent, supports the arts, allows the sciences to flourish, and adds lustre to religion which is the supreme ornament and splendour of states and binds people closer to their prince.[98]

Botero thought that good government included moral obligations of redistribution, but such redistribution was not meant to erase inequalities. Botero's model of an ideal political community was underpinned by a notion of distributive justice, but this was informed more by the social status of different groups than their

[92] Giovanni Botero, *The Reason of State*, ed. and trans., Robert Birlely (Cambridge: Cambridge University Press, 2017), 30.
[93] Ibid., 14. [94] Ibid., 74.
[95] Niccolò Machiavelli, *The Prince*, ed. Quentin Skinner (Cambridge: Cambridge University Press, 2019), 28, and further discussions 56–9.
[96] Botero, *The Reason of State*, 31. [97] Ibid., 31. [98] Ibid., 31.

economic needs.[99] For Botero, the ruler was the fountain of justice, and this justice was defined by equity (to each according to his status). Botero saw society as made up of different status groups acting according to their particular interests, and due different things according to their different status. He stressed that titles had to be distributed according to merit and not favour,[100] and noted that patronage, the distribution of rewards according to favour, would disrupt the stability of the political community.

Botero argued that the just society was best achieved through charity, and that the operation of justice was only necessary when this charity had become insufficient:

> Christ Our Lord when instituting his Church as the best republic as it were, unified and fashioned it with charity, which is of such force and virtue that there justice is not necessary where it flourishes and reigns, because charity not only regulates the hand but unites the hearts, and where such a union is found, neither wrong nor injustice nor the occasion for justice is possible. But because men are ordinarily not perfect and charity regularly grows cold, it is necessary, to keep order in the city and to maintain peace and quiet in the community, that justice plant its roots there and make laws.[101]

Society could function according to the principles of charity, but as humans err, laws and institutions were needed to ensure justice that could otherwise be achieved through charity.

Botero's vision of political community described a kind of just contract between Crown and subjects, a reciprocal relationship based upon moral-political economic obligations. The people were 'obliged to give to their prince all those powers that are necessary for him to maintain justice among them and to defend them from the violence of their enemies',[102] but the ruler could not squander this gift. Botero recognised that subjects should provide revenue to the ruler for his duties to provide justice.[103] He also recognised this revenue as the product of labour which should not be wasted:

> no less should he keep from spending the income wastefully (which is nothing else than the sweat and blood of his vassals) because there is nothing that more afflicts and more torments people than to see their prince throw away needlessly

[99] Botero wrote: '[I]t also belongs to this type of justice to distribute regards and honors proportionately, balancing burdens with benefits and easing charges with recognition. Where labors and services are recognised and rewarded virtue takes root and valor flourishes because everyone desires and seeks comfort and reputation (the lower classes more comfort, and the upper classes more reputation)'; Botero, *The Reason of State*, 20.

[100] Ibid., 20. [101] Ibid., 18.

[102] Ibid., 19. [103] Ibid., 28.

> the money that they with such labor and hardship provided him for the support of his grandeur and the maintenance of the republic.[104]

Botero distrusted luxuries and was especially critical of those who accumulated wealth or consumed luxuries which were not according to their status. He advised how the state should manage the moral-political economy of luxuries: '[N]ot to prohibit these things but to burden them with such heavy taxes and impositions that they become very expensive, in this way only the prince and nobles will be able to wear such adornments.'[105] Here we also see again how for Botero a just society was also defined by socio-economic inequalities.

Botero warned about the importance of sufficiency for the poor and the dangers of scarcity for social and political order. He gave the example of disorder in Naples, which at the time was part of the Habsburg Empire, writing that 'experience has taught us in Naples and in other places more than once that there is nothing that more moves and exasperates the people than scarcity of provisions and shortage of bread'.[106] Botero wrote that the poor should be provided for, but this was not simply because of the charitable obligations of the Christian community but also because those in poverty threaten the peace of the political community: '[A]lso dangerous for the public peace are those who have no interest in it, that is, those who find themselves in great misery and poverty.'[107]

Botero believed that the poor should be provided with sufficient resources, but he did not depict them as ideal Christian subjects as some medieval thinkers had. Botero wrote that 'the poor are prepared to obey in dishonorable as well as in honorable matters', and that 'the poor are not able to live under laws because the necessity in which they find themselves knows no laws'.[108] This was a rather different sentiment from Gratian's *decretum*, which stated that necessity excused theft.[109]

Botero's theory of state also elaborated his moral-political economic theories of poverty. He wrote that the poor should be provided for not simply with daily bread but by the provision of labour so that they could earn their own daily bread. Botero recognised the real economic difficulties of the poor and explained that 'because not everyone is able to own land or to exercise a trade and because for human life they need others, the prince ought himself or through others to

[104] Ibid., 20. [105] Ibid., 68. [106] Ibid., 72.

[107] Ibid., 88. [108] Ibid., 80–1.

[109] Gratian, *Decretals*, along with the *Glosses* (*Decretum Gratiani, una cum glossis*) 3.5.26 (Venice, 1584, col. 2675), cited by Henry of Ghent, Quodlibet 9, Question 26, *Quodlibetal Questions on Moral Problems*, ed. and trans. R. J. Tieske (Milwuakee, WIS: Marquette University Press, 2005), 30; See Julia McClure, 'The Rights of the Poor: Taking the Long View', in Steven L. B. Jensen and Charles Walton eds, *Social Rights and the Politics of Obligation in History* (Cambridge: Cambridge University Press, 2022), 26–46.

provide the poor with a means to gain their livelihood.'[110] Botero saw the wandering poor, and especially the marginalised Roma population, as fodder for the labour-intensive galley ships. '[I]f these [galley slaves] are not found, there will never be lacking gypsies and vagabonds without any purpose whom it would be better to employ in the service of public utility than to allow them to go about begging.'[111]

Botero's theory of the moral-political economy of states and the obligations of rulers to provide for subjects considered the politics of empires. He emphasised that it was important to provide welfare for 'acquired subjects', those of colonies and conquered territories. He gave the example of Charlemagne, who 'displayed an incredible liberality and beneficence toward the poor than which there is nothing more gracious nor more effective for winning the gratitude and affection of the people nor more celebrated and magnified by all'.[112]

At the end of the sixteenth century, Mariana's *De Rege et Regis Institutione* (1599) elaborated Spanish constitutional theory. *De Rege et Regis Institutione* could also be classed as a 'mirror for princes', but by no means conforms to that genre. Unlike his contemporary political thinkers, although he advocated political pragmatism, he was not straightforwardly Machiavellian or anti-Machiavellian.[113] Although a Jesuit and Scholastic thinker, Mariana was not part of the School of Salamanca. Braun argues that 'Mariana's account of the origin of society strongly contrasts with the Salamanca consensus on secular authority as rooted in precepts of the law of nature.'[114] Mariana departed from the Thomist-Aristotelian synthesis of natural law. He had a pessimistic view of human nature, understanding that society had been in decline since the Fall. Mariana explained that 'civil societies were born from indignity and weakness', and this led to the need for rulers, who were obliged to maintain order and welfare.[115] He consistently emphasised that the sin of avarice was most ruinous, while prudence was seen as virtuous. It is perhaps due to this focus on the corruption engendered by greed and avarice that he is sometimes classed as an *arbitrista*.

Mariana was sceptical that monarchy was the best form of government, but concluded that society needed to be ruled given the moral decline of humans after the Fall. Mariana was affiliated with the monarchomachs, theorists who examined the limitations of monarchy and the notion that tyrannicide could be legitimate. Mariana explained that monarchies arose when society was formed because of the weakness of men, for the protection of the people, to direct the republic and uphold justice. Mariana saw monarchy as necessary, but not without limit. He observed that tyranny, the antithesis of monarchy, was the worst form of

[110] Botero, *The Reason of State*, 91. [111] Ibid., 135. [112] Ibid., 93.
[113] Braun, *Juan de Mariana*, 161. [114] Ibid., 22.
[115] Juan de Mariana, *Del Rey y de la Institución Real* (Barcelona: Editorial Planeta, S. A., 2018), 36.

government.[116] Greed, ferocity, and avarice were the vices that Mariana named as inexcusable for rulers,[117] which would lead them to become tyrants.

For Mariana, the ruler lost their mandate to rule if they went against these obligations of justice and welfare. Above all, the ruler was expected to be fair: 'The prince's equity (*equidad*) began to be suspected because it was difficult for him to be free of anger and hatred and to look with equal love on all those who lived under his rule.'[118]

Mariana was by no means an advocate of equality or democracy. He saw democracy as problematic because it conferred honours and duties of state without distinction, merit, or class, writing: 'This [democracy] is certainly contrary to good sense, since nature or a superior and irresistible force pretends to be equal to those made unequal.'[119] Like Botero, Mariana emphasised the importance of maintaining status-based inequalities within an ideal political order.

Mariana also took the Aristotelian view that wealth has a social function, and that owners were obligated to use wealth to help the poor. Mariana reminded readers that the Bible recommended people to help the poor and to use surplus wealth for charitable causes, such as the redemption of captives and feeding the poor.[120] In Mariana's view, it was the duty of the prince to ensure wealth was distributed to the poor. He wrote that 'it is proper to piety and justice to alleviate the misery of the poor and the weak, to feed orphans, to help those who need help. This is the first and principal duty of the prince.'[121] Mariana explained that listening to the poor was a matter of justice, the first obligation of the ruler.[122]

Mariana also explained that the rich were obliged to ensure the poor had access to the things of necessity thanks, in part, to the Thomistic understanding that all things were common property before the Fall,[123] and to appropriate too much for oneself was greed:

> it is part of being human to open for all the riches that God gave in common to all men, he gave to all the patrimony of the earth, with its fruits, so all could live indistinctly, and only the unbridled greed could vindicate for himself this gift from heaven, making his own the food and riches that would otherwise be the property of all.[124]

Mariana, a member of the Jesuit Order, which was the least committed to vows of poverty of all the mendicant orders, did not think that the state of common property needed to be restored or that private property was wrong. He contended that

[116] Ibid., 71. [117] Ibid., 71. [118] Ibid., 37. [119] Ibid., 70.
[120] Ibid., 424–5. [121] Ibid., 424. [122] Ibid., 72.
[123] This was distinct from the original Franciscan interpretation that before the Fall all things were not common property but rather commonly available for use.
[124] Mariana, *Del Rey de la Institución Real*, 424.

common goods had to be partitioned after the Fall because of the corruption of human nature, and that God had wanted this, and it was determined by his laws.[125]

While the idea of the scarcity of resources dominated the conceptions of the moral-political economy that emerged in the eighteenth century in the work of theorists such as Thomas Malthus, the scarcity of resources was feared but not necessarily seen as the cause of poverty in society at the end of the sixteenth century. Mariana was convinced that the world was abundant, and that the problem of the poor was not due to scarcity but to greed:

> the earth, even in these last years of increased scarcity, gives sufficiently for all, and there would not be misery if the powerful men didn't hesitate in opening their granaries and coffers for the benefit of the community and the feeding of the poor.[126]

Here we see an articulation of moral-political economy based upon the notion of the world's abundance and not driven by anxiety for scarcity. For Mariana, it was the duty of the monarch to oppose greed and ensure the distribution of goods: '[T]he prince should always try, according to the aims of God, that because the wealth and power of some grows immeasurable, others are not excessively exhausted and reduced to abject poverty.'[127] Mariana emphasised that 'the first reason that the prince ought to alleviate misery and help the people is that if the rich see that they are obliged to share what they accumulate, these riches would pertain to many and nobody would lack food'.[128] Like Botero, Mariana argued that it was the duty of the prince to encourage the generosity (*liberalidad*) of the citizens.[129] Mariana's vision of political society was set against the impression of decline being elaborated at the time by the *arbitristas*. Mariana contributed to these notions of the moral decline of the sixteenth century and lamented that citizens were far more generous to the poor in the early years of the Church.[130] For Mariana, this intensifies the need for the prince to encourage generosity, the cessation of private wealth to the poor.

Mariana wrote against luxury and greed, and he also argued that the Crown should not display ostentatious wealth in a society that had poverty. Mariana's criticism of the conspicuous consumption of the Crown in a society with poverty was thinly veiled:

> how many poor would not feed themselves, how much poverty [not] alleviated, with that which is invested in the things entirely for one, in these precious clothes with which the sovereign emblazons himself, in these treats that irritate the palate and provoke innumerable diseases, consumed on hunting dogs, and given to parasites and sycophants.[131]

[125] Ibid., 425. [126] Ibid., 425. [127] Ibid., 425. [128] Ibid., 427.
[129] Ibid., 427. [130] Ibid., 427. [131] Ibid., 425.

Like the early sixteenth-century thinker Juan Luis Vives, Mariana saw the poor as a potential threat to the state: '[I]t is indispensable that there should be as many enemies in the republic as there are poor people, especially if they are deprived of the hope of getting out of that poor and miserable state.'[132] This did simply identify the poor as enemies of the state as much as emphasise the need for the poor to be able to ameliorate their poverty. Mariana compared the poor with hungry wolves who may be compelled to invade cities and kill, but he noted that they were driven by necessity.[133] The implication was that this necessity excuses people from seizing what they need to survive.

Mariana's theory of state contributed to theories of moral-political economic practice and he gave rulers suggestions for providing for the poor and avoiding the dangers of the poor being driven by their necessity. Some of these solutions have much in common with those proposed during the birth of political economy in the eighteenth century. Some poor people, Mariana suggested, should be made to work in the army. Tapping the biopower of populations is often associated with the emergence of political economy and the liberal state in the eighteenth and nineteenth centuries, but was rooted in historical moral-political economic discourses.

Management of the poor was central to Mariana's vision for developing the state. For Mariana, providing for the poor was the rationale for imposing taxes and developing trade and agricultural production:

> Let the prince therefore impose modest taxes on the people, encourage the development of agriculture and commerce, ensure that the arts are honored and held in esteem, entrust to the powerful the exercise of the magistracies and public offices, so that far from receiving a salary from the state, they consider them as honorary and consume part of their wealth in their performance.[134]

This echoed the sentiments of other sixteenth-century social welfare reformers that state charity to the poor should not simply be a gift but be structured to encourage labour returns. Mariana had suggested that private citizens voluntarily give their wealth to the poor, which would reduce the demands on the state. He also targeted the wealth of the Church, which he observed could be better used to help the 'multitude of beggars running in the street' than invest in luxuries.[135] The need to secularise Church wealth to assist the poor resonated with the comments of social reformers earlier in the century.

Mariana addressed the problem of the migration of poor between regions. This was thought to be a big problem at the time Mariana was writing, when many poor were attracted by the promise of New World wealth and employment

[132] Ibid., 425. [133] Ibid., 426.
[134] Ibid., 426. [135] Ibid., 428.

in transatlantic business and travelled to the port city of Seville, which exacerbated endemic problems of poverty in the region. Juan Ignacio Carmona García described poverty as 'the other face of imperial Seville'.[136] Like Vives, Mariana argued that the poor should be provided for in their place of birth and should not wander between regions. His views on the migration of the poor were shaped by conceptions of scarcity and abundance:

> Some will allege the sterility of certain regions, from which it is essential that swarms of poor people come out; others will allege the scarcity of food at certain periods, a scarcity that obliges entire peoples to move like birds to abundant places, But although we cannot deny that it offers serious difficulties to carry out our thought, why should we not try if each city is enough to feed its poor and then give power to foreigners so that if they do not want to stay in their homeland they can go begging from town to town, prescribing however, that they cannot stay in any of them for more than three days, unless they want to devote themselves to some more honorable professions?[137]

The desire to fix labour sources clearly influenced Mariana's views on the need to limit the migration of the poor. He emphasised that the poor should live in the place where they were born, and that general hospitals should be established to maintain this if necessary.[138]

Mariana took a more mathematical approach to helping the poor than some of his predecessors, acknowledging that society should work to reduce the number of poor people so that helping the poor would be easier to achieve.[139] For Mariana, this could be achieved by dividing the poor into particular groups, and he cited the poor relief policies of Charlemagne as a good historical model to explain that this had historical precedent by a Christian king.

For Mariana, helping the poor was the central duty of a good ruler, and he explained that this was because it contributed to the common good of the republic. Mariana's conception of sovereignty focused upon the provision of the poor and was underpinned by the notions that all things were common in the state of nature and that private property was approved by God as it was necessary after the Fall. In Mariana's moral-political theory, private property was not a complete freedom of the individual but had a social function: '[T]hus the duties of Christian piety would be fulfilled, heaven would be pleased, the general good of the republic would be extended, and the riches given by God would be applied to the best and most legitimate uses.'[140] Mariana set out the circumstances under

[136] Juan Ignacio Carmona García, *El extenso mundo de la pobreza: La otra cara de la Sevilla imperial* (Seville: Ayuntamiento de Sevilla, Servicio de Publicaciones, 1993).
[137] Mariana, *Del Rey de la Institución Real*, 429.
[138] Ibid., 430. [139] Ibid., 429. [140] Ibid., 430.

which a monarch who reneged on his obligations became a tyrant and could be legitimately killed. In the political theory of Mariana, protection of the poor was more than rhetorical.

The Calabrian Dominican Tommaso Campanella also made important contributions to the political theory of the Spanish Empire. Campanella was interested in the new ideas about the natural world emerging at the end of the sixteenth century, was critical of Aristotelian cosmology, and was a supporter of Galileo. Campanella wrote most of his works from prison. He was first arrested in 1594 and imprisoned for heresy by the Inquisition. In 1598, after he had been released from prison, he returned to Calabria and influenced a conspiracy against the Spanish viceroy of the Kingdom of Naples. He was convinced that the increase of poverty and injustice was a portent of pending political unrest and became a spiritual leader of a Calabrese plot against the Spanish. The plot was discovered before taking place and Campanella was arrested, feigning madness to avoid execution on charges of heresy and rebellion.

While in prison Campanella wrote a book on the monarchy of Spain, *De Monarchia Hispanica*, to try to gain political favour.[141] Campanella described the Spanish Hapsburgs as the heirs of Augustus (considered the first Roman Emperor). He supported the idea of a universal monarchy, as a world united by the rule of Spain, a theme he repeated in his 1623 *The City of the Sun: A Poetical Dialogue* (*La Città del Sol: Dialog Poetico*).[142] In *The City of the Sun*, Campanella described his support for the Spanish conquest of the Americas in the context of the moral corruption of the Reformation to gain political favour, 'hence the constellation that drew infectious vapors from Luther's cadaver drew fragrant exhalations of virtue from the Jesuits of that period and from Hernando Cortés, who established Christianity in Mexico at that same time'.[143]

The City of the Sun was an imaginary dialogue between a sailor who had journeyed to the New World with Columbus and a Knight Hospitaller.[144] Like Thomas More's Utopia, another imagining of an alternate society inspired by a Renaissance vision of the New World,[145] Campanella depicted a utopian society with common property in harmony with nature. Campanella explained that 'they [the people of the New World] cannot give gifts to one another because all is held in common and because the officials are careful to see that no one has more than

[141] Tommaso Campanella, *De Monarchia Hispanica* (Frankfurt, 1709), Glasgow University Library, Sp Coll BC3-k.16.
[142] Tommaso Campanella, *La Città del Sol: Dialog Poetico* (*The City of the Sun: A Poetical Dialogue*), trans. with intro. and notes Daniel J. Donno (Berkeley: University of California Press, 1981), 121.
[143] Campanella, *The City of the Sun*, 127.
[144] *La Città del Sol* first appeared in Latin as an appendix to his *Politica*.
[145] Thomas More's *Utopia* was written in 1516 and first published in England in 1551. More's *Utopia* inspired the Franciscan Bishop, Vasco de Quiroga, in his attempt to build a hospital town in Santa Fe, north of Mexico City.

he deserves, while everyone has all that he needs'.[146] Like More's Utopia, he described a society with common rooms and public kitchens.

Campanella's utopian vision of the New World echoed the sixteenth-century theories of state and moral-political economy of poverty and charity. Like other sixteenth-century political theorists, Campanella described generosity and liberality as the most important virtue within this imagined society of the Americas.[147] Like More's Utopia, in this imagined society there was no greed, especially not for precious metals: '[T]o gain such approval citizens are willing to risk their lives, since neither gold nor silver is much regarded except as the material out of which to make vessels and ornaments common to everyone.'[148]

In Campanella's utopia, work was essential, and idleness was to be avoided. Campanella described a situation of gender equality, writing that 'men and women dress in a manner suitable for combat' and that 'both sexes are trained in all pursuits'.[149] He explained that occupations rotated, 'men and women perform the same tasks, whether of a mental or mechanical nature'.[150] Not everyone was thought to be equal, however, and Campanella explained that every function was presided over by an elderly man and woman who had the authority to administer beatings (or have them administered by others) to anyone who is negligent or disobedient, and to take note of those who do the best work.[151]

Theories of sovereignty and good governance in the Spanish Empire in the long sixteenth century were not only being produced in Europe but also in the Americas. Between 1615 and 1616 the Quechua-speaking Andean nobleman from Huamanga (a region in the southern highlands of Peru), Felipe Guaman Poma de Ayala, produced *The First New Chronicle and Good Government* (*El primer nueva corónica y buen gobierno*) which provided an Incan account of invasion and the construction of Spanish colonial rule in the Andes.[152] Guaman Poma's work, written in Spanish with some Quechuan parts, was rooted in Andean epistemologies as well as Christian morality. It began with a section on the ages of the world, informed by the Quechuan concept of *pacha*, which meant world and time, and started with reference to Adam and Eve. Guaman Poma described the first encounters as a diplomatic meeting between 'an embassy from the glorious emperor Don Carlos, king of Castile', an ambassador of the Pope, and ambassadors of the Incan Empire, but that the greed of those sent to the Andes as ambassadors led to the murder of Incan emperor Atahualpa (also spelt Atawalpa) in 1533.[153]

[146] Campanella, *The City of the Sun*, 39. [147] Ibid., 41. [148] Ibid., 61.
[149] Ibid., 41. [150] Ibid., 49. [151] Ibid., 49.
[152] The original manuscript is in the Danish Royal Library, København, Det Kongelige Bibliotek, GKS 2232 4°, and available online, https://poma.kb.dk/permalink/2006/poma/info/en/frontpage.htm. An edited and translated version is available: Guaman Poma de Ayala, Felipe, *The First New Chronicle and Good Government* (abridged), selected, translated and annotated by David Frye (Cambridge: Hackett, 2006).
[153] Guaman Poma de Ayala, *The First New Chronicle*, 19–18.

Guaman Poma explored the moral-political fault lines of the Spanish Empire as it was emerging in the Americas. He used the rhetoric of deserving poverty and holy poverty to construct the authority of his examination of sovereignty and governance. He wrote: '[T]he author wandered in the world, poor, among the poor Indians, to be able to see the world, attain [knowledge], and write this book and chronicle in service to God and His Majesty and for the good of the poor Indians of this kingdom.'[154] Guaman Poma had been impoverished socio-economically by the Spanish Empire, losing his land in a legal battle between 1564 and 1600. He combined understanding of the moral-political value of poverty that had been common in the Middle Ages and was still emphasised by some mendicant missionaries,[155] and evolving moral-political concepts of the deserving and undeserving poor which were part of the colonial rhetoric and governance.

The concept of poverty and the moral-political economy of providing for and protecting the poor were central to Guaman Poma's analysis of the sovereignty of the Spanish in the Americas, and its limitations. He reminded the Crown of the reciprocal bonds of sovereignty, stipulating that the Indigenous Andeans could pay the 'royal fifth, exercise tax, personal tax, tithes, and first fruits', from their common property (*sapsi*) (which he argued needed protecting) in exchange for 'the welfare of the poor Indians of this kingdom and throughout the world'.[156]

Guaman Poma represented historic Andeans as good Christians, denying one of the legitimating strands of Spanish imperial theory. Guaman Poma also described historic Andeans as poor, but his descriptions evoked Christian concepts of Apostolic poverty and the asceticism of the Desert Fathers. He wrote that Indigenous Andeans may not have known how to make clothes or houses, and 'lived in caves and under cliffs', and that 'their only work was to worship God'.[157] Guaman Poma's moral-political representation of Indigenous poverty was a way to defend the historic sovereignty of the Andean peoples. Although he depicted these early Andeans as poor, he was careful not to describe them as itinerant (like the nomadic and semi-nomadic Chichimecas who were described in colonial rhetoric as 'wild') but as ploughing the earth 'in the same way as Adam and Eve'.[158] Guaman Poma located the historic Andean mode of production (which did include crop cultivation) within a Christian moral schema. He further emphasised that while their knowledge of Christianity might have been hazy, 'they kept the Ten Commandments and the good works of pity, alms, and charity amongst themselves'.[159] This is an important detail in a moral-political context where charity was seen as part of a just society. He also repeatedly stressed that Incan lords

[154] Ibid.
[155] Guaman Poma made many references to mendicant missionaries who had been proselytising in the Andes from the time of the arrival of the first Spanish.
[156] Guaman Poma de Ayala, *The First New Chronicle*, 201.
[157] Ibid., 25. [158] Ibid., 27. [159] Ibid., 28.

were legitimate. Guaman Poma described political unrest in the Inca Empire, and used this to explain why Incan lords voluntarily joined the Spanish, rather than resist like the Indigenous Mapuche people in Chile.[160] His descriptions of the charity of Incan elites (male and female) and their care for the poor contributed to his defence of Indigenous sovereignty.[161] Guaman Poma explained how Spanish rule had come about; he dismissed some of the more general Spanish claims to sovereignty in the Americas, and contributed to moral-political foundations for the restitution of certain Indigenous possessions.

Guaman Poma contrasted the morality of the 'poor Indians' with the immorality of the greedy Spanish as part of his general programme to bolster the authority of Indigenous people and their claims for restitution. He wrote:

> I have found no Indians who are greedy for gold nor silver, nor have I found any who owe a hundred pesos, nor liars, nor gamblers, nor sluggards, nor buggers, nor whores nor any who steal from one another. But you have all these ills among yourselves…and you teach them to the poor Indians.[162]

Guaman Poma navigated a difficult line, defending the Indigenous rights and criticising the Spanish settlers, while not directly challenging the Spanish Crown. He made a distinction between the Spanish rulers and their representatives who were corrupted by greed in the Americas.[163] His descriptions of greedy conquistadores was his way of condemning the illegitimacy of the colonial appropriation of Indigenous property without directly challenging the sovereignty of the Spanish Crown in the Americas.

Guaman Poma criticised the devastation wrought by colonisation by describing it as an upheaval of social order, a period of 'restlessness, pestilence, uproar, and attempts by poor men to turn themselves into lords'.[164] Here Guaman Poma challenged the proto-racial, social inequality that the Spanish were trying to create as part of colonial society, that imagined Spanish settlers as naturally rich and Indigenous people as naturally poor. Guaman Poma challenged the social disorder created by poor Spanish becoming rich through colonial appropriation, as well as the unjust impoverishment of Indigenous lords. This critique was continued in his description of the Spanish execution of the last Inca Emperor, Túpac Amaru, in 1572: '[H]ow could a king, a prince, a duke, a count, a marquis, or even a gentleman be sentenced to death by his own servant, a poor gentleman?'[165]

Guaman Poma contributed to a theory of global sovereignty where Indigenous sovereignties were nested within the Spanish Empire. The sovereignty of the

[160] Ibid., 45.
[161] For example Guaman Poma de Ayala, *The First New Chronicle*, 47.
[162] Guaman Poma de Ayala, *The First New Chronicle*, 99.
[163] Ibid., 99. [164] Ibid., 141. [165] Ibid., 156.

Spanish Crown was not absolute but contingent upon the reciprocal relationships of the moral-political economy. Poverty was an important conceptual tool for negotiating within this framework.

The First New Chronicle and Good Government is an important example of the exploration of the boundaries of Indigenous and Spanish sovereignty in the Americas from the perspective of an Indigenous person writing around a century after the first Europeans in the Americas.[166] Just as European commentators had debated whether Indigenous people were less than human, so Guaman Poma considered the ontological strangeness of European colonists, describing them as eating gold and silver, while their horses seemed more human as they ate corn, which was sacred in Andean cosmology.[167] His *First New Chronicle* depicted the colonial officials as so morally corrupted that they were not fit to govern. He drove this point home in his description of Spanish-controlled *tambos* (lodges constructed by the Inca to provide hospitality to wayfarers) where the Spanish not only mistreated Indigenous people but had failed to care for and provide for their own holy poor.[168] This reference to the *tambo* also reminded readers of the civilised moral economy of the Inca. Elsewhere in the text, he referred to Indigenous people having their lands appropriated not simply as '*pobres indios*', but specifically as 'the poor of Jesus Christ', warning that those harming the Indigenous would face judgement when Christ returned.[169] Guaman Poma employed Christianised moral-political concepts of poverty to explore the boundaries of legitimacy of the Spanish Empire, condemning the immorality of the Spanish who cannot even provide for their own holy poor, and emphasising the moral-Christian poverty of Indigenous people.

Guaman Poma used the moral-political concept of poverty to examine the legitimacy of different colonial governors and the case for the restitution of Indigenous lands. He described the weakness of some Indigenous lords who had not defended their people. He wrote that many noble lords claimed they were poor to avoid being tortured.[170] The description of this weakness cast a shadow on the legitimacy of any capitulation of the lands of their people, to which Indigenous people may still have claim. Guaman Poma explicitly blamed bad governance on colonial officials, Crown representatives, especially *corregidores* (district governors) and *mayordomos* (stewards or overseers). He condemned *corregidores* for the colonial appropriation of Indigenous labour, describing them as 'enemies of the noble caciques and the poor Indians, consuming the sweat of their brows and labour'.[171] He condemned them for the colonial appropriation of Indigenous lands, arguing that 'they wrong poor Indians'.[172]

[166] Francisco Pizarro had first reached Peru in 1528 after the failure of earlier attempts. The first Spanish settlement in the territory of the Inca Empire was established in 1532.
[167] Guaman Poma de Ayala, *The First New Chronicle*, 109. [168] Ibid., 190.
[169] Ibid., 164. [170] Ibid., 125. [171] Ibid., 168. [172] Ibid., 185.

In *The First New Chronicle*, Guaman Poma recognised the sovereignty of the Spanish as he appealed to the Crown to address the crimes of its colonial officials and end the bad governance that was causing so many problems for Indigenous peoples. He tried to create a special place for Indigenous peoples within colonial society, dismissing some Spanish settlers as 'petty merchants, Jews, and base people'.[173] He argued that Indigenous workers should not be cruelly treated like 'black slaves',[174] and called for a separation from the Spanish and mestizos (he uses the words '*cholos*' and '*zambaigos*') who, he argued, should stay in the cities while Indigenous people should be allowed their pueblos.[175] He described Black people as 'idlers',[176] using moral language associated with the undeserving poor to designate Black people as inferior to Indigenous within the emerging colonial world order. He strategically used the colonial moral-political rhetoric of poverty, condemning 'vagabond' Spanish. He demonstrated the use of moral categories of deserving and undeserving poor to designate difference in society, claiming that Spanish vagabonds were 'Jews and Moors' while Indigenous people were good Christians.[177] Guaman Poma explained that there had been superior governance of vagabonds in the Inca Empire as they had been made to carry insignia that acted like licences.[178]

In addition to writing *The First New Chronicle*, which had repeatedly reminded the Crown of its obligations to uphold justice (especially with regard to the poor), Guaman Poma had also petitioned the Crown directly for resources. He was one of the many Indigenous Andeans who petitioned the Crown for justice—some even travelled across the Atlantic to take their cases directly the Spanish courts—and who shaped the moral-political and legal frameworks of the Spanish Empire.[179] Guaman Poma's petitions had been unsuccessful, but this was one of the variety of ways in which Indigenous people negotiated with the Spanish Crown directly for resources, as we will see in the next section.

Global Sovereignty in Practice

Spanish claims to sovereignty around the world were often more aspirational than the writings of political thinkers would suggest. Indigenous Americans and Afro-descendants repeatedly resisted Iberian claims to sovereignty in the Americas. Many Indigenous groups continued to reject Spanish claims to global sovereignty, including the Mapuche (in territories now part of modern Chile and Argentina), the Pijao people of the Colombian Andes, the people described as

[173] Ibid., 191. [174] Ibid., 181. [175] Ibid., 187.
[176] Ibid., 193. [177] Ibid., 191. [178] Ibid., 191–2.
[179] See also José Carlos de la Puente Luna, *Andean Cosmopolitans, Seeking Justice and Reward at the Spanish Royal Court* (Austin: TX: University of Texas Press, 2018).

Chichimecas in (in territories now part of modern Mexico), and the Lacandon Mayans. Afro-descendants who had fled slavery, sometimes referred to as *cimarrones*, established fugitive communities, sometimes known as palenques. Sometimes these communities gained recognition of their autonomy by the Crown. One example of this is the Afro-Ecuadorian community that was established in the mid-1500s by marooned Africans after a shipwreck off the coast of Esmeraldas in 1553. With the help of a Trinitarian friar, they negotiated the recognition of their autonomy.[180] This example was made famous by the 'Mulatto Gentlemen of Esmeraldas' painting, produced in Quito in 1599 by Andres Sánchez Galque.[181] Other imperial competitors, including the English, French, and Japanese privateers who raided Spanish settlements and ships in the Atlantic and Pacific,[182] also disregarded Spanish claims to global sovereignty. A letter from the royal officials of Panama to the Crown in 1575 showed the frustration of colonists as they were raided by English and French corsairs, and people they described as '*negros cimarrones*' and Chichimecas.[183] This list indicates the realities of the challenges to Spanish claims to sovereignty in the New World by the international community, certain groups of Indigenous people, and some free Black people, some of whom formed autonomous communities.

While Iberian intellectuals theorised the Spanish Crown's universal sovereignty, and rationale to claiming authority overoverseas territories, claims were often made in the name of care and charity which acknowledged the moral-political bonds between rulers and subjects, especially the sovereign obligation to provide for the poor. Spanish colonists, representing the Crown in the Americas, understood the political value of poverty and the sovereign obligation to provide for the poor. Settlers often described themselves as poor as they sought Crown rewards for their role in the colonisation of the New World on the Crown's behalf. For example, Diego de Villanueva Zapata wrote to the king from Panama, describing poverty, especially of daughters, asking to be compensated for his part in a recent maritime expedition.[184] Officials in the Philippines repeatedly wrote to the Crown complaining of poverty and need for more resources for the poor soldiers. In 1585 Melchor Dávalos (1526–89), prosecutor and judge of the *Audiencias* in Manila, Santiago (died 1606), governor of the Philippines, Pedro de Rojas

[180] See Chales Beatty-Medina, 'Maroon Chief Alonso de Illescas' Letter to the Crown, 1586', in Leo Garofalo and Kathryn Jo McKnight, *Afro-Latino Voices: Narratives from the Early-Modern Ibero-Atlantic World, 1550–1812* (Indianapolis; Cambridge: Hackett Publishing, 2009), 30–7 and Laura Moulton, 'Marooned Slaves of Esmeraldas: Survival, Autonomy and Spanish Authority, 1553–1600', in Maurits S. Hassankhan, Lomarsh Roopnarine, Cheryl White, and Radica Mahase eds, *Legacy of Slavery and Indentured Labour Historical and Contemporary Issues in Suriname and the Caribbean* (Abingdon: Routledge, 2016), 231–55.
[181] Andres Sánchez Galque, 'Mulatto Gentlemen of Esmeraldas', currently held in the Museum of America, Madrid.
[182] For example, Francis Drake (*c.*1540–96) raided Caribbean sites of importance in Panama, Hispaniola, and Cartegena on the northern coast of Colombia as well as in the Pacific.
[183] AGI, Patronato, 234, R1. [184] AGI, Panama,14, R.1, N.6.

(died 1593), lawyer judge of the *Audiencia* in Manila, petitioned the Crown for resources, citing the need for food for the 'poor soldiers'.[185] They asked for a reduction of import duties from 3% to 1%, citing the need for hospitals for Spaniards and natives. De Vera wrote a further letter demanding income to build cathedrals, requesting 'Black slaves' for certain types of jobs, and complaining about the challenges presented by Japanese pirates.[186] In his letters to the Crown, de Vera emphasised the need to protect Indigenous people in his general request for resources.[187] Similarly, in 1595 the governor of the Philippines, Juan Núñez, petitioned the king for rewards for him and his soldiers in recognition of their service in the Philippines, and on account of their poverty.[188] Nuñez outlined his contributions to the colonial project in the Philippines, including searching for cinnamon and pacifying natives, and he described his poverty and how he needed resources not only for himself but to care for his children.

As we will see in the next chapter, Indigenous peoples also petitioned the Spanish Empire, and this concerned both the use of law to negotiate resources and a recognition of the moral-political economy of sovereignty which was conditioned by bonds of reciprocity. As discussed, Guaman Poma had reminded the Crown of the sovereign obligation to protect the common property of Indigenous peoples so that they would have the resources to meet the demands of taxation. Indigenous people did petition the Crown for the protection of this common property, referring to themselves as poor.[189]

It was not only Indigenous Americans but also Afro-descendants that articulated claims to sovereignty, albeit in different ways, in the Spanish Empire. Miguel Alejandro Valerio has described the way in which festive performances of sovereignty were an important part of diasporic Afro-descendant culture in the Atlantic world.[190] As we will see also in the next chapter, the form of communal organisation permitted through the establishment of Black confraternities facilitated subtle forms of collective action and engagement with the moral-political economy of imperial society that enabled people to negotiate resources and carve out status. As Valerio observes, Afro-descendants in the Americas were able to form these confraternities, and use them to articulate communal sovereignty claims, thanks to the institutional transformations taking place with the Council of Trent (1545–63) and the Catholic Reformation.[191] As these Afro-descendent articulations of communal sovereignty often took place through the institutions of confraternities (typically formed by lay communities for spiritual and socio-economic purposes), the moral-political economy of poverty—caring for the poor and

[185] AGI, Filipinas, 18A, R.3, N.13.
[186] AGI, Filipinas, 18A, R.3, N.16.
[187] AGI, Filipinas, 18A, R.3, N.15.
[188] AGI, Filipinas, 35, N.3.
[189] For example, see Puente Luna, *Andean Cosmopolitans*, 34.
[190] Miguel Alejandro Valerio, *Sovereign Joy: Afro-Mexican Kings and Queens, 1539–1640* (Cambridge: Cambridge University Press, 2022).
[191] Valerio, *Sovereign Joy*, 11.

performing expressions of holy poverty—was important.[192] Performances of wealth were also an important part of Black confraternity culture, and may have challenged any associations of Blackness with poverty that had developed in colonial society.[193]

In summary, amid the transformations of the long sixteenth century, Spain was establishing itself as a global empire and this required new theories of global sovereignty. A number of scholars contributed to these theories of global sovereignty, variously influenced by the moral-political debates on poverty and wealth, the upheaval of the Reformation, new moral-political articulations of sovereignty within Europe (including debates around Machiavelli's mirror for princes), Second Scholasticism, humanism, and the moral-political concerns arising from the colonial encounters with the Americas and its Indigenous peoples. The moral-political topic of poverty, especially the care of and provision for the poor, was important across these different theorisations of global sovereignty. In these theories of global sovereignty, we see how the concept of poverty, and the reciprocal relationships of the moral-political economy, played a role in the development of theories and practices of more expansive articulations of sovereignty during the development of the first global empire.

Empire of Poverty: The Moral-Political Economy of the Spanish Empire. Julia McClure, Oxford University Press.
© Julia McClure 2024. DOI: 10.1093/9780198933908.003.0004

[192] See also Nicole von Germeten, *Black Blood Brothers: Confraternities and Social Mobility for Afro-Mexicans* (Gainesville, FL: University Press of Florida, 2006).
[193] Valerio, *Sovereign Joy*, 151.

4

Poverty Politics and State Formation

Conceptualisations of poverty and the governance of people identified as poor have been recognised as important to liberal state formation in the eighteenth and nineteenth centuries,[1] but these have also been central to different projects of state and empire formation, especially in the sixteenth century. At the end of the fifteenth and start of the sixteenth century, Europe was on the edge of ideological and institutional transformations that would give rise to new iterations of state and empire in the early modern period. Moral-political concepts of poverty were at the heart of these transformations. While in medieval Europe poverty had been a kind of sacred condition, it came to be reconceptualised in the sixteenth century as a moral-political problem. The religious obligation to give to the poor did not disappear, and indeed was often reinforced, but the poor were increasingly divided into moral categories of deserving and undeserving. There were many different categories of deserving poor, including *pobres vergonzantes* (shamefaced poor), *pobres de solemnidad* (solemn poor), *pobres peregrinos* (poor pilgrims), *pobres enfermos* (sick poor); and different categories of undeserving poor, including *vagabundos* (vagabonds, also appears as *vagamundos*), *holgazanes* (lazy), *ociosos* (idle), and *pobres falsos* (false poor). The poor could also be described as *mendigos* (beggars), an ambivalent category as attitudes towards begging were changing. The moral-political economic system of providing for the poor and the corresponding institutional landscape underwent critical transformations in the long sixteenth century and these shaped the development of early modern states and empires. At the same time that the Crown sought more expansive notions of sovereignty, as we saw in the previous chapter, it also worked pragmatically to increase its tools of governance through the changing frameworks of moral-political economies.

The transformation of the institutional landscape and its contribution to early modern state formation has often been read, following the historical meta-narrative first proposed by Max Weber, as the historical trajectory of Protestant nations as they broke away from the structures of the medieval Christian world and confining beliefs about poverty and wealth.[2] However, moral-political

[1] For example, see Mitchell Dean, *The Constitution of Poverty: Towards a Genealogy of Liberal Governance* (London: Routledge, 1991).

[2] Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, trans. Talcott Parsons, intro. Anthony Giddens (London and New York: Routledge, 2001, first published by Allen and Unwin, 1930).

conceptions of poverty and wealth had been debated throughout the medieval period, and these debates had shaped theories of justice, sovereignty, and institutions in medieval states. Importantly, debates about poverty and the proper governance of the poor and corresponding institutional transformations that informed state-making processes took place not only in states that became Protestant but also in Catholic contexts.

At the start of the sixteenth century, Charles (I of Spain and V of Holy Roman Empire)'s inheritances created a polity that straddled the emerging confessional fault line between Catholics and Protestants, and his election as Holy Roman Emperor blurred the already hazy boundary between state and empire. Charles became the ruler of a series of territories which were distinct geographically, politically, and culturally. The confessional divide within the Habsburg Empire of the early sixteenth century led to disputes which ended with the Peace of Augsburg of 1555 and the ruling *cuius regio, eius religio* (whose realm, their religion), which enabled Catholic and Protestant principalities to exist within the Holy Roman Empire. Charles V abdicated in 1556 and split his possessions between his brother, Ferdinand I, who inherited the Holy Roman Empire, and his son, Philip II, who inherited the territories relating to the Spanish Crowns in the Iberian Peninsula, Mediterranean, and New World and the Netherlands. The territories that made up this Spanish Empire were ruled as Catholic lands.[3] Spain's expansion in the Americas, and later in the Philippines, was papally sanctioned for the express purpose of the expansion of Christianity.[4] The Crown expanded its capacity to govern its peoples through new poor laws and reforms of welfare institutions, in some cases challenging and taking over territory that had been traditionally controlled by the Church, and engaging with ideological battles about the meaning of poverty, who was classified as poor, and their place in society.

Reforming Poor Relief in the Habsburg Empire

As we saw in the last chapter, providing justice and welfare to his subjects and caring for the poor was important to the legitimacy of the paternalistic theories of sovereignty that had developed across Europe in the Middle Ages. The *comunero* revolt reminded Charles V of the need to take seriously the sovereign obligation

[3] The Dutch Revolt (1566–1648) contested Spanish rule in the Netherlands and Catholicism and eventually resulted in a political and confessional split with the recognition of the protestant Dutch Republic in the north.

[4] Alexander VI, Inter caetera, Papal Bull of 4 May 1493, in M. Giménez Fernández ed., *Nuevas Consideraciones sobre la historia, sentido y valor de las bulas Alejandrinas de 1493 referentes a las Indias* (Seville: Universidad de Sevilla, 1944), 165–94 (two versions), trans. and ed. Frances Gardiner Davenport, *European Treaties bearing on the History of the United States and Its Dependencies to 1648* (Washington, DC: Carnegie Institute of Washington, 1917), 77.

to provide for the poor. The Habsburg rulers of the sixteenth century undertook a series of welfare reforms that shaped the development of the state.

There was a changing consciousness of poverty as an economic problem in the sixteenth and seventeenth centuries. The seventeenth-century chronicler Don Diego Órtiz de Zuñiga (1636–80) described the poverty in Seville, the main hub of the Spanish Empire, in the year 1522:

> This has been a very sterile year, the fatality of the past was repeated, and a multitude of beggars came to Seville, and needed the councils to take care of their relief and look after them, so that the diseases that they were infested with did not damage the city, and more than 500 died in the streets, which was a very pitiful spectacle.[5]

De Zuñiga's chronicle is one of many writings expressing fear over increased numbers of poor migrants and the burden they placed on civic institutions. Zuñiga's chronicle reported that there was a big plague in Seville in 1547,[6] and great sterility and hunger ('*gran esterilidad* y *hambre*') in 1557.[7] City chronicles can be an important source for charting localised outbreaks of famine and plague, but the accounts also reflect the moral-political beliefs of their authors.

The increased concern for poverty and the number of poor people as a moral, political, and economic problem was the result of the related processes of the transformation of material conditions and ideological concepts in the long sixteenth century. There was much wealth in the Iberian agricultural sector, with exports of olives, oil, grapes, wine, and wool.[8] The population of Castile increased from 1500 to 1560 from 3.9 million to 5.6 million, followed by a period of decline,[9] which can be contextualised as part of the broader global crisis of the seventeenth century.[10] From the 1590s, Castile experienced a series of subsistence crises and epidemics, and a general increase in increase in rural poverty.[11] However, as in all contexts, increases in economic conditions of poverty are seldom natural but the

[5] 'había sido este año muy estéril, fatalidad que se repitió por algunas de los pasados, y acudió a Sevilla multitud de mendigos de la comarca, y necesitó á sus Cabildos á cuidar de su socorro y de recogerlos, porque con enfermedades de que estaban infestos no dañasen la Ciudad, y de que habían muerto por las calles más de quinientos, espectáculo muy lastimosos,' Órtiz de Zuñiga, *Anales eclesiásticos y seculares de ciudad de Sevilla*, vol. III (Madrid, 1776), Book XIV, 330.

[6] Órtiz de Zuñiga, *Anales eclesiásticos y seculares de ciudad de Sevilla*, vol. III (Madrid, 1776), Book XIV, 395.

[7] Ibid.

[8] Bartolomé Yun- Casalilla, 'The Peninsular Economies and the Impact of Globalization (ca. 1494–1700)', in Fernando J. Bouza Alvarez, Pedro Cardim, and Antonio Feros eds, *The Iberian World, 1450–1820* (New York: Routledge, 2019), 189–210.

[9] Ibid., 190–1.

[10] Geoffrey Parker, *Global Crisis: War, Climate Change and Catastrophe in the Seventeenth Century* (New Haven, CT: Yale University Press, 2013).

[11] David R. Ringrose, *Madrid and the Spanish Economy* (Berkeley, CA: University of California Press, 1983), 10.

product of particular political policies. In the sixteenth century, pauperisation increased in the Iberian Peninsula due to the increased sale of *baldíos* (common lands), which was the Spanish equivalent of the enclosure movement that was experienced in England. Between the 1570s and the seventeenth century, it is estimated that 40% of *baldíos* were auctioned off.[12] This sale of *baldíos* increased both rural poverty and inequality. As Duplessis summarises, '*baldío* sales thus served both to impoverish peasants and to concentrate land ownership: between them, nobles and ecclesiastical institutions came to control two thirds or more of the countryside'.[13] It is estimated that by the end of the sixteenth century landlessness had increased such that one fifth of peasants had become landless.[14] The enclosure of common property tended to increase poverty in the Iberian Peninsula, but this was also regionally varied and in some areas common property institutions endured and continued to be a resource for the poor.[15] Some peasants bought and enclosed *baldíos* by mortgaging their holdings, others were forced to rent them as private property. At the same time that many common lands were sold off, rents increased as much as five times in the sixteenth century.[16] These factors helped increase peasant debt in the sixteenth century. By the end of the sixteenth century, there was a financialisation of poverty as many peasants had more debt, due in part to the sale of the *tierras baldías* and *concejiles* (another type of communal land).[17] Increased landlessness increased the number of wage labourers, and the likelihood of poverty and itinerancy. Lis and Soly used evidence from the *relaciones topográficas*, a survey of the topography, population, and wealth of different regions commissioned by Philip II in 1575, to argue that in New Castile, where 50% of the population were landless labourers, 'wage labour and poverty were considered synonymous'.[18] The increase of wage labourers and debt in the long sixteenth century are indicators of the way in which the transition to capitalism was contributing to the remaking of poverty in this period. The transition to capitalism did not simply increase poverty but rather transformed the nature of what it meant to be poor in society.

The increased anxiety concerning poverty, and the tendency to see the number and nature of poor people as a threat to civil order, were a reflection partly of the changing nature of economic poverty in the sixteenth century and partly of changing moral-political beliefs about poverty. The results were reforms in

[12] Robert S. DuPlessis, *Transitions to Capitalism in Early Modern Europe* (Cambridge: Cambridge University Press, 1997), 53.

[13] Ibid., 53. [14] Ibid., 53.

[15] José A. Serrano Alvarez, 'When the Enemy is the State: Common Lands Management in Northwest Spain (1850–1936)', *The International Journal of the Commons*, 8 (2014), 107–33.

[16] DuPlessis, *Transitions to Capitalism in Early Modern Europe*, 53.

[17] Bartolomé Yun Casalilla, *Sobre la transición al capitalismo en Castilla: Economía y sociedad en Tierra de Campos (1500–1830)* (Valladolid: Junta de Castilla y León, consejería de educación y cultura, 1987), 398.

[18] Catherina Lis and Hugo Soly, *Poverty and Capitalism in Pre-industrial Europe* (Brighton, Sussex: Harvester Press, 1979), 73.

welfare policy that changed how people were governed through mechanisms of care and control.

In the early sixteenth century, Charles V received a number of petitions of the *procuradores* of *cortes* concerning the problem of poverty and the number of poor in the cities, and concerning the increasing number of beggars in Spanish towns.[19] These petitions expressed fears over migration, the rise of urban poverty, and increased pressure from 'outsiders' dependent upon existing welfare provision. Charles was faced with his sovereign obligation to provide for the poor, changing moral attitudes towards the poor among some cohorts, and increased complaints about the number and movement of the poor.

Charles engaged in his own programme of welfare reform. Debates over poverty and the provision of poor relief intensified in the Low Countries of the Habsburg Empire during the reign of Charles V, and Charles took interest in these moral debates and public policies. Reforms were carried out in Mons, Ypres, Strasburg, and Nuremberg. The first place in the Holy Roman Empire to experiment with a new system of poor relief was the town of Ypres,[20] which developed a new poor relief programme in 1525 (published in 1531 under the title *Forma subventionis pauperum*, a text originally intended for the judgement of the Sorbonne's Faculty of Theology). The Ypres scheme demonstrated the new attitudes towards the poor as idle, wasteful, and dangerous. The scheme claimed to be 'addressing the question of the sycke and diseased nowe goyng abrode in euery place and infectynge the ayre'.[21]

These transformations were part of a reimagining of society. *Forma subventionis pauperum* proposed a new model for an ideal society designed for 'the plentiful increase of good social order'.[22] *Forma subventionis pauperum* was written by town councillors who imagined that a better social order could be achieved through tighter controls on the redistribution to the poor and increased examination and regulation of those claiming poverty. The Ypres scheme stipulated that all able-bodied people must work or face exclusion from the community, declaring that 'by the emperor's command, sturdy beggars should be banished from the

[19] Valladolid Cortes, Toledo, 1525, Madrid, 1528, in F. R. Salter ed., *Some Early Tracts on Poor Relief* (London: Methuen & Co., 1926), 34.

[20] Ypres, the third largest city in the County of Flanders, was part of the Low Countries, which became part of the Holy Roman Empire. Charles V had been born in Ghent, and Flanders joined the Burgundian circle. In 1525 the County of Flanders was part of the French Ancien Régime. In the Pragmatic Sanction of 1549, the County of Flanders detached from France and became an independent territory of the Holy Roman Empire, part of seventeen provinces of the Low Countries, which were inherited by Philip II.

[21] William Marshall's translation of 'Forma Subventionis' for Anne Bolyen, 1535, in F. R. Salter, *Some Early Tracts on Poor Relief*, 36–76, 37.

[22] City of Ypres, 'Forma Subventionis Pauperum (1531)', in Paul Spicker ed., *The Origins of Modern Welfare: Juan Luis Vives, De Subventione Pauperum and City of Ypres, Forma Subventionis Paperum* (Bern: Peter Lang, 2010), 101–40, 130.

realm'.[23] Anyone wishing to claim exemption needed to apply for a licence. These propositions constituted a significant challenge to the social order of medieval Christian society and its moral economy. Poor beggars, who had formerly been entitled to receive charity, could find their requests for alms subject to legal scrutiny and punishment.

In 1526, one year after the trial of the Ypres scheme, Charles commissioned the Valencian humanist then living in Bruges, Juan Luis Vives, to write his *De Subventione Pauperum* (on assistance to the poor),[24] which was published in 1530. *De Subventione Pauperum* discussed new proposals for poor relief within the framework of Christian and Classical precedents. The authors of *Forma subventionis pauperum* and *De Subventione Pauperum* knew that what they were proposing was radical and that they would have to provide justifications and they drew upon a range of authorities. Debates about poverty and charity were by no means new in the sixteenth century; they had been important to theological and political discourses in the Middle Ages, but were always scrutinised for heretical implications. *Forma subventionis pauperum* and *De Subventione Pauperum* cited examples from the Church Fathers, such as Augustine, and drew upon the intellectual trends of humanism, giving authority to their ideas for remodelling society by referring to thinkers from Antiquity.[25] These authors also reasoned from the basis of changing material conditions, articulating new anxieties about the scarcity of resources of civic communities in relation to fears about the perceived increase in the numbers of poor people in cities. Charles used this work to inform his public policies. In 1531 he sanctioned charitable reform in the Netherlands, including the ban on begging and the attempt to create a common fund for poor relief.

De Subventione Pauperum extended the case for the increased regulation of the lives of the poor and the reform of systems of alms distribution. Like the town councillors of Ypres, Vives envisaged a new form of society based upon the increased regulation of the poor, declaring that 'tremendous honour adheres in the state in which no beggar is seen'.[26] To justify the exclusion of beggars from society, *Forma subventionis pauperum* cited Plato, who 'judged all manner of beggars to be put out of his Republic'.[27] Vives thought it was the responsibility of the ruler of the city to take care of the poor, but that this charity should be rationed and regulated, and the poor should be examined and differentiated.

[23] City of Ypres, *Forma Subventionis Pauperum*, Spicker ed., 112.

[24] Paul Spicker, 'Introduction', in Paul Spicker ed., *The Origins of Modern Welfare*, vii–xxvii, xii.

[25] It was also driven by transformation of ideas, including humanism and the recovery of classical ideas about society based upon civic community. See also Quentin Skinner, *The Foundations of Modern Political Thought*, vol. 1 (Cambridge: Cambridge University Press, 1979).

[26] Juan Vives, *On Assistance to the Poor* (Toronto: University of Toronto Press, 1999), 51, 55.

[27] City of Ypres, *Forma Subventionis Pauperum*, Spicker ed., 124.

The councillors of Ypres and Vives argued that the poor should be provided for in institutions rather than begging in the street—institutions commonly referred to as hospitals. Michel Foucault termed this institutionalisation of poor relief as 'the great confinement', arguing that it took off in the seventeenth and eighteenth centuries but could trace its remote origins to the poor relief reforms in England in 1575.[28] However, looking at the poor relief policies and institutional reforms of the Habsburg empire, including the punitive approach to vagabonds, we can see that a programme of institutional confinement as a strategy for the reordering of society started far earlier in a Catholic rather than Protestant context.

The councillors of Ypres and Vives argued that providing for the poor was a civic rather than religious responsibility. Vives explained that these hospitals should care for the poor and sick, the mentally and physically disabled, and educate children, and he added that 'the governors of a city should know that all these things fall to their care'.[29] The idea for the secularisation of welfare institutions was well known in Spain, but was reformulated by Vives, as Cavillac also observes.[30]

It should be noted that the increased moral judgements of the poor, restrictions on begging, and proposals for less universal and more conditional poor relief did not go unopposed in Catholic Europe. Members of the mendicant orders, who were particularly committed to the moral-political value of poverty and sanctity of the poor, were opposed to the new attitudes towards the poor and poor relief reforms. In 1527 the bishop of Tournai, a Franciscan friar, declared the work of Juan Luis Vives to be heretical. In 1530 other mendicants, who had initially supported the Ypres scheme, reported it as heretical and brought their case to the Sorbonne, calling for the decriminalisation of begging. It had to be submitted to the faculty of theology at the Sorbonne to be checked for heresy. However, the Sorbonne ruled that the Ypres scheme was not heretical, writing that 'we hold that the system to poor relief which the Magistrates of Yores have instituted is severe but valuable; healthy and pious, not in conflict with gospels'.[31] This ruling provided the legitimation for further transformations of attitudes towards the poor and transformations of the infrastructure of the moral economy.

The meaning of poverty continued to be debated, and Charles V's issue of the 1540 poor law sparked the notorious poverty debate between Juan de Robles (1492–1572), a Benedictine monk, and Domingo de Soto (1494–1560), a

[28] Michel Foucault, *Madness and Civilization: A History of Insanity in the Age of Reason*, trans. Richard Howard (London and New York: Routledge, 2005), 40.
[29] Juan de Vives, *De Subventione Pauperum*, trans. Paul Spicker, in Paul Spicker ed., *The Origins of Modern Welfare*, 1–100, 70.
[30] Michel Cavillac, 'Introduction', in Cristóbal Perez de Herrera ed., *Amparo de Pobres* (Madrid: Espasa-Calpe, S.A., 1975), IX–CXCIII, XC.
[31] 'The Judgement of Sorbonne', in Salter ed., *Some Early Tracts on Poor Relief*, 76–7, 76.

Dominican friar.[32] Domingo de Soto wrote in defence of the freedom of the poor, publishing *Deliberación en la Causa de los Pobres* in 1545. He reminded people of the holiness of the poor body and that Jesus had walked 'in the habit and suit of the poor'.[33] De Soto opposed both the criminalisation of begging and the institutionalisation of charity. He argued that begging should not prohibited and that nor should the poor person be linked to one place (*naturaleza*).[34] De Soto invoked the Roman law of the right of foreigners to beg.[35] His interventions are an important reminder that the ideas about the sanctity of the poor and their rights did not disappear. The poor continued to be legal persons with rights, but the context in which claims to charity could be made and who could receive them was transformed. People continued to use the language of poverty to demand rights to access charity as alms, but the context of these claims had been transformed.

De Soto argued that charity should be given freely to all in need, with no distinction between strangers and community members. He tried to defend the moral character of the poor and opposed the examination of the poor, arguing that many who could be vagabonds are not thieves.[36] De Soto was against the institutionalisation of charity, and the criminalisation of begging, especially the prohibition of the freedom of movement of mendicants. In their defence, de Soto pointed out that the expulsion of beggars simply relocated the poor.[37]

Juan de Robles attacked de Soto's opposition to the new ideas on poverty, arguing that it is better for the poor to be looked after without the need for begging.[38] He contended that the poor should receive alms before confession, and Domingo de Soto opposed this.[39]

The mendicants' attitude towards poverty was ambivalent as it was not aimed so much at eradicating poverty as remembering its sanctity and increasing its visibility. Juan de Robles, one of the advocates of the new system of poor relief, swiftly responded to de Soto's opposition, arguing that it is better for the poor to be looked after without the need for begging.[40] A Franciscan, Luis de Scala, wrote

[32] Domingo de Soto wrote *Considerations about the Cause of the Poor* in 1545. Domingo de Soto, *Deliberación en la Causa de los Pobres* (Salamanca: 30 de enero de 1545), in Félix Santolaria Sierra ed., *El Gran Debate Sobre los Pobres en el Siglo XVI* (Barcelona: Ariel, 2003).
[33] Domingo de Soto, *Deliberación en la Causa de los Pobres*, 76. [34] Ibid., 49–116.
[35] Andreas Blank, 'Domingo de Soto On Justice to the Poor', *Intellectual History Review*, 25: 2 (2015), 133–46, 138.
[36] Domingo de Soto, *Deliberación en la Causa de los Pobres*, 88. [37] Ibid., 49–116.
[38] Juan de Robles, *De la Orden Que en Algunos Pueblos de España se ha Puesto en la Limosna, Para Remedio de los Verdaderos Pobres* (Salamanca: 20 de marzo de 1545), in Félix Santolaria Sierra ed., *El Gran Debate Sobre los Pobres en el Siglo XVI*, 117–98, 126.
[39] Domingo de Soto, *Deliberación en la Causa de los Pobres*, 49–116, 93.
[40] Juan de Robles, *De la Orden Que en Algunos Pueblos de España se ha Puesto en la Limosna, Para Remedio de los Verdaderos Pobres*, 117–98, 126.

against the poor law of Toledo of 1541 and Franciscans continued to oppose hospitals confining the poor as they developed in the later sixteenth century.[41]

In the Middle Ages, while monarchs had a sovereign obligation to protect and provide for the poor, the daily provision of charity for the poor had been the preserve of religious institutions. In the sixteenth century, the Spanish Habsburgs, recognising the political capital of being seen as the protector of the poor, tried to break up the monopoly of the Church. The Crown tried to instigate reforms to exercise more control over the provision of poor relief, including attempts at the consolidation and secularisation of charitable institutions such as hospitals (which provided for the poor as well as the sick). The Crown also tried to exert greater control over the governance of charitable institutions. However, secular authorities struggled to match charitable revenue and meet the costs of the institutions. In some cases the poor were asked to beg in the streets to raise their own revenue and then to return to the institutions at night.[42] Royal hospitals, like the General Hospital of Madrid, fared slightly better as they could benefit directly from Crown revenues from taxations and funds raised through confiscations in legal trials.[43]

In the Americas, the Spanish Crown was established by the papacy as the patron of the Church (*patronato real*), giving the Crown more power over secular Church than it had in Europe, and enabling the Crown to have greater moral-political economic control over the colonisation than would otherwise have been possible. The Spanish Crown's control over the secular Church (religious institutions from parishes to bishoprics, not including the religious orders such as the Franciscans) in the Americas was established in the earliest papal bulls relating to the conquest of the New World. The 1501 bull *Eximiae devotionis* permitted the Crown to collect tithes (traditionally the tax revenue of the Church) and the 1508 bull *Universalis ecclesiae* enabled rulers to elect ecclesiastic leaders. This applied to the secular Church, but not to the religious orders, who were able to carve out areas of greater independence in the Americas, often to the frustration of the Spanish conquistadores. The Church and connected religious institutions were central to the development of the institutional landscape of welfare across the Americas, but the *patronato real* extended the reach of the Crown into the governance of these institutions. The *patronato real* enabled the Crown to exert greater control over many types of religious institutions in the New World. The Crown ordered a network of welfare institutions to be established as part of the colonial landscape; these were also expected to be self-funding, and to use the revenue streams of religious institutions. The *patronato real* also established

[41] Linda Martz, *Poverty and Welfare in Habsburg Spain: The Example of Toledo* (Cambridge: Cambridge University Press, 1983), 144–5.
[42] Ibid., 144–5.
[43] See Teresa Huguet-Termes, 'Madrid Hospitals and Welfare in the Context of the Hapsburg Empire', *Medical History*, 53: 29 (2009), 64–85, 76.

tensions and competitions between the Church and the Crown. Church officials, for example, could denounce the Crown if it thought it was not doing enough to meet the costs of imperial welfare.[44]

By the end of the sixteenth century, Spanish social reformers were advocating stricter proposals of poor relief and new types of institutions for both caring for and controlling the poor. Most notable among these were the 1579 proposals of Miguel de Giginta (1538–87), *Tratado de remedio de pobres*, which recommended that the poor be collected, cared for, and governed in new types of poor institutions. Giginta's work has been considered as an antecedent to the panopticon proposed by Jeremy Bentham (1748–1832) in the late eighteenth century.[45] Giginta opened an institution variously known as a *casa de misericordia* or hospital for beggars in the city of Toledo in 1580 with the help of Cardinal Gaspar de Quiroga, one in Madrid in 1581, and one in Barcelona in 1583. These institutions had hybridised income streams, receiving donations from religious and state institutions as well as private donations. Giginta was influenced by the misericordia institutions that had been developed in the Italian city of Bologna in 1563, but also poor relief institutions in Asia and the Ottoman Empire, drawing influence from letters sent by the Jesuits and Cristóbal de Villalón's *Viaje de Turquía*. Félix Santolaria Sierra suggests that Giginta could have been influenced by the Ottoman construction of the tower of justice.[46] Giginta explained that it was important to both provide for the true poor in an appropriate way but also to investigate and punish the false poor and reminded his readers that mercy differs from justice.[47]

By referring to different examples from around the world, Giginta emphasised that the proper provision of charity was important to civilisational standards, and how the Habsburg Empire would be perceived by foreign states around the world, just as the provision of hospitality had been important to the distinction between civilised and barbarous nations in the Roman Empire. Giginta described how the poor were provided for in India and China,[48] and asked how they would be perceived by the infidel (those who come as captives and spies) if their own charity was lacking.[49] Giginta commented: '[O]f the Turks, they tell me that they have large houses in the towns for the poor who cannot work, in addition to those for the sick and pilgrims', and 'from the Moors, I have heard that in that Africa they pay a certain tribute in some parts of one of the fruits they pick for their poor'.[50] Giginta also looked to the Americas, writing that 'I have heard from the western Indians that in the time of the Incas there was no poor person in Peru who

[44] For example, see Gabriela Ramos, 'Indian Hospitals and Government in the Colonial Andes', *Medical History*, 57:2 (2013), 186–205, 190.
[45] Félix Santolaria Sierra, 'Estudio Introductorio', in Miguel de Giginta, *Tratado de remedio de pobres* (Barcelona: Editorial Ariel, 2000), 9–57, 9.
[46] Ibid., 36. [47] Miguel de Giginta, *Tratado de remedio de pobres*, 87. [48] Ibid., 185.
[49] Ibid., 183. [50] Miguel de Giginta, *Tratado de remedio de pobres*, 186.

suffered from need'.[51] Giginta's interest in the global context of poor relief demonstrates how scholars in Europe in the sixteenth century were influenced by the ideas and practices of other parts of the world which had come to be connected to the Iberian Peninsula through European imperialism, and how the proper provision and governance of the poor was a matter of political sovereignty, civilisational standards, and the boundary between civilization and barbarism.

By the end of the sixteenth century, scholars were arguing that it was not only important for the ruler of a state to provide for the poor in institutions but also to punish vagrants. In 1598 Cristóbal Pérez de Herrera (1558–1620), drawing upon his experiences as doctor of a galley ship (where people receiving penal sentences could be sent), wrote *Discursos del amparo de los legítimos pobres* (Discourses on the protection of the legitimate poor), about treatment of the legitimate or true poor, and the reform of vagabonds. Pérez de Herrera argued that 'the greatest point of the true reason of state consists in the princes doing works that serve and please god, and try to cleanse their kingdoms of vagrant and vicious people who destroy their good customs'.[52] The political concept of poverty remained central to notions of sovereignty, but by the end of the sixteenth century this meant not only providing for the true poor but also punishing the false poor. Pérez de Herrera saw the governance of the poor as a matter of justice, and also emphasised that the examination of the poor should be rigorous and that the poor, including the poor in jail, should not be mistreated. For Pérez de Herrera the judgement and governance of the poor, in welfare institutions and in prisons, was a matter of good governance.

The sixteenth-century discourses on poverty were not completely rejecting the moral economy of Christianity, but they were responding to newly emerging anxieties about resource scarcity. They did not deny that the poor should be provided for but were concerned for the scarcity of resources and the need to limit charity. Many of these sixteenth-century texts, from those of the councillors of Ypres and Juan Vives to Miguel de Giginta and Cristóbal Pérez de Herrera, expressed concerns with the rising number of poor people, the threat they posed to civic order, and the need for the government to control the situation. For example, Giginta began his *Tratado de remedio de pobres* with a letter concerning how the most recent famine had 'caused disorder and extreme need'.[53] Across the sixteenth century, poverty was increasingly seen as a problem that was the state's obligation to fix. Newly emerging notions of scarcity drove the increased moral differentiation of the poor between various categories of deserving and undeserving. Some people needed to be judged to be more deserving of Christian charity than others. Narratives of secularisation, and notions of change over time that see

[51] Ibid, 185. [52] Cristóbal Perez de Herrera, *Amparo de Pobres*, ed. Michel Cavillac, 10.
[53] Miguel de Giginta, *Tratado de remedio de pobres*, 63.

one system as eventually replacing another, have obscured many of the complexities of welfare reform and state making.

Poor Laws and the Expansion of State Institutions

In Europe during the Middle Ages, poverty was not only an economic position but also a theologically supported legal position. The early Church Fathers had written protection of the poor into canon law (*corpus iuris canonici*) and the poor had a legal identity as *personae miserabilis*.[54] This placed the poor under the protection of the Church and entitled them to legal representation. The legal classification of the poor as *personae miserabilis* in medieval society was political. It cast the poor as a protectorate, too weak to govern and therefore dependent not only for charity but for governance. Within this category of *miserabilis*, particular types of people were demarcated as especially deserving according to the paternalistic politics of the traditional moral economy. Those classed as particularly deserving and in need of protection were widows, orphans, the disabled, captives, the aged, children, and servants. Within the medieval moral-political economy of poverty, there was already the idea that some poor were more deserving than others. The concept of Christian charity, influenced by the Roman concept of hospitality, was founded upon the notion of the stranger and was conceptualised as open to all; it was increasingly under threat in Europe in the sixteenth century as pressure to differentiate the 'deserving' from the 'undeserving' intensified.

In the medieval Iberian Peninsula, the special legal status of the poor as *personae miserabilis* (*personas miserables* in Castilian Spanish), people in need of protection, was written not into canon law but also the civil law code. The rights of widows and *personas miserables* to seek justice was set out in the *Siete Partidas*, the foundation of the Castilian legal code that was developed by Alfonso X (*El Sabio*) in the thirteenth century and indicated that in secular matters *personas miserables* should first seek justice in secular courts.[55] The *Siete Partidas* identified orphans, widows, and *personas miserables* as people in need of protection, but also stated that this was the special duty of the clergy.[56] In the sixteenth century, the Spanish Crown increased its legal governance of the poor.

[54] See Julia McClure, 'The Rights of the Poor: Taking the Long View', in Steven L. B. Jensen and Charles Walton eds, *Social Rights and the Politics of Obligation in History* (Cambridge: Cambridge University Press, 2022), 26–46.
[55] *Las Siete Partidas del sabio rey don Alfonso el IX [=X]*, vol. I, with the gloss of Gregorio Lopez, ed. Ignacio Sanponts y Barba, Ramon Marti de Eixala, José Ferrer y Subirana (Barcelona: Antonio Bergnes, 1843), Título VI, Law 48, 390. This appeared in a law setting out that clergymen should not be litigants or judges in the secular jurisdiction; it did not, however, challenge the remit of canon law.
[56] Ibid., Título XIX, Law 3, 838.

In the sixteenth century, Charles V and later Philip II issued a number of new laws concerning poverty, which resulted in the expansion of state institutions. The *Novísima recopilación*, a compilation of Spain's early modern laws, evidences the extent of the new poor laws issued from the start of the sixteenth century and the petitions to which they were responding. The sixteenth-century poverty policies and legislations formed the bases of a new moral economy and created the legal and institutional frameworks for a new way of governing society, exerting tighter control on local populations.

In 1534 some *procuradores* of the *cortes* in Spain asked Charles to establish a new office to license the begging of the poor. Charles issued a new poor law which gave the *corregidores*, *justicias*, and *alcaldes* of the *cortes* the power to prosecute the wandering poor, so that the poor of one place, who are not able to wander, are provided for.[57] It stipulated that in addition to the *alcaldes de corte* (mayors of the court), and the *justicias* (justices), two good people should be deputies to take care of the administration of the poor in accordance with the new poor laws.[58]

Charles issued a further poor law in 1540, known as the Talvera Law. This went further to restrict the freedom of the poor and criminalise vagrancy. The 1540 poor law created the position of 'fathers of the poor' (*padres de pobres*) in every town to oversee the examination of the poor. This office could be held by secular or religious figures. Charles also proposed that beggars be provided for in institutions. The 1540 poor law also instructed cities and towns to ensure that the so-called shame-faced poor (*envergonzantes*), those for whom poverty was against their socio-economic status, were provided for.

In 1552 Charles V passed a further poor law increasing the criminalisation of begging. It ordered that anyone found begging without a licence was considered a vagabond and subject to four years' galley service on first attempt, eight on second, life on third.[59] Philip II continued to issue poor laws, most notably in 1565. In 1566 he created the office of sheriff of vagabonds (*alguacil de vagabundos*) to further police the poor.

These policies, treatises, and legislation formed the basis for a new model of social order, the basis of a new moral economy for the development of both the Spanish state in the Iberian Peninsula and the Spanish Empire in the Americas. The sixteenth-century poverty legislations created both the moral discourse and institutional framework for a new way of governing society, exerting tighter

[57] *Novísima recopilación de las leyes de España, dividida en XII libros, en que se reforma la Recopilación publicada por el Señor Don Felip II. En el año de 1567, reimpresa últimamente en el de 1775: Y se incorporan las pragmáticas, cédulas, decretos, órdenes y resoluciones Reales, y otras providencias no recopiladas y expedidas hasta el de 1804* (Madrid, 1805), Book VII, Law I of título XXXIX. For more on the use of the role of the *alcaldes* see John F. Schwaller, 'Alcalde vs. Mayor: Translating the Colonial World', *The Americas*, 69: 3 (2013), 391–400.

[58] *Novísima recopilación*, Book VII, Law XIII of chapter XXXIX.

[59] Martz, *Poverty and Welfare in Habsburg Spain*, 30.

control on local populations. The posts of the sheriff of vagabonds and the fathers of the poor had the ambiguous roles of caring for and governing the poor.

The posts of sheriff of vagabonds (*alguacil de vagabundos*) and the fathers of the poor (*padres de pobres*) were extended to the Americas, where they played a role in governing colonial society. The National Archive (*Archivo General de Nación*) in Mexico City show that the *alguacil de vagabundos* had a particularly active role in governing society. As well as receiving complaints about the alleged crimes of vagabonds, the *alguacil de vagabundos* was also responsible for meeting costs in society and ensuring salaries were paid.[60] They responded to requests for mercy from poor people wanting to use common land to graze animals,[61] and for the costs of vagabonds in prison.[62]

Poverty Reforms and the Labour of the Poor

The scholars that developed the new moral-political economic frameworks in the newly emerging global imperial context of the long sixteenth century were also engaging with new ways to think about population and labour. Botero blamed what he perceived as the poverty of Spain on its supposed scarcity of population:

> Now the abundance of goods and variety of produces enriches both individuals and the public. If Spain is considered a sterile province that is not because of a lack of land but because of the scarcity of the inhabitants, the land is favourable and most suited to the production of all that belongs to civil life, and if it were cultivated, there would be enough to support an infinite number of people as was the case in ancient times when it supported the great armies of the Carthaginians and the Romans besides their own peoples.[63]

Botero praised the way China differentiated the poor and managed its poor relief institutions: '[T]he unemployed and the lazy were not in any way tolerated, and even the blind and the cripples work to the extent they can and are not admitted to the hospital unless they are completely helpless.'[64] Botero also admired the way in which the Chinese government managed the labour of the poor. He wrote: 'All are employed to the extent that their ability allows: the blind, if they have of themselves no means to live, are employed turning mills by hand, the maimed, as

[60] AGNM, Indiferente virreinal caja 4802 / 9881 / 29 expediente 029 (general de parte caja 4802).

[61] AGNM, Indiferente virreinal caja 5899 / 1078 / 17 (mercedes cajas 5899).

[62] AGNM, Indiferente virreinal caja 11759 / 56 (clero regular y secular caja 6680).

[63] Giovanni Botero, *The Reason of State*, ed. and trans., Robert Birlely (Cambridge: Cambridge University Press, 2017), 132.

[64] Ibid., 90.

much as they are able, to do something else.'[65] Botero saw the labour specialisation and training of the poor as central to their support. He observed that in China 'the laws of the Chinese required that a son learn to exercise the trade of his father', so trades developed and people could support themselves, and he noted that women too should work to avoid poverty.[66]

As the Spanish Empire expanded, it was followed by the unrelenting question of how to address its labour shortages. Expanding the labour, including the forced labour, of the poor was one solution. This required both a more expansive concept of poverty and a more morally differentiated notion of the poor.

Across the medieval and early modern worlds, there were many different types of forced labour. In the Iberian world, forced labour included people captured in military skirmishes, often Muslims captured in the Mediterranean. These captured Muslims were a substantial proportion of the people classed as slaves in the Iberian Peninsula. There were also enslaved African people brought by the Portuguese slave trade, but slavery was not a fixed condition and there were also many free Black people in the Iberian world. In addition to those classed as slaves, the category *forzados* was applied to a range of types of forced labour, often applied to captives after their sentence had ended.[67] Forced labour also comprised prisoners who had been given penal sentences, including those sentenced by new poor laws. As others have noted, 'slavery, penal transportation and indenture have complex intertwined histories'.[68] These different types of forced labour contributed to the development of colonial capitalism.

In the Iberian Peninsula, forced labour was also used in mines such as the Almadén mine, and on galley ships, which were used in the Mediterranean and to protect shallower waters. The labour composition of galley ships highlights the complexity of the labour regime of the Spanish Empire. Different types of forced labourers worked alongside wage labourers. Many captives or convicts might continue to work as wage labourers aboard the ships when their sentences were finished. The lines between forced and free labour were often blurred.

In the sixteenth century, slavery was a vexed question, and it was not the only solution to the labour shortage considered by the Spanish Empire. The Spanish Crown also looked to its own poor as a possible solution to imperial labour shortages. As early as 1511, the same year that Montesinos had given his impassioned speech denouncing the abuses against the Indigenous people of the Americas, the king of Spain ordered the House of Trade (established to manage the commercial

[65] Ibid., 135. [66] Ibid., 90.

[67] Carla Rahn Phillips, 'Spanish Mariners in a Global Context', in Maria Fusaro, B. Allaire, R. Blakemore, T. Vanneste, and Michael Dunford eds, *Law, Labour, and Empire: Comparative Perspectives on Seafarers, C. 1500–1800* (London: Palgrave, 2015), 236–55, 240. See also Christian De Vito, *Global Convict Labour* (Leiden: Brill Publishing, 2015).

[68] Clare Anderson and Hamish Maxwell-Stewart, 'Convict Labour and the Western Empires, 1415–1954', in Robert Aldrich and Kirsten McKenzie eds, *The Routledge History of Western Empires* (London: Routledge, 2013), 102–17, 103.

enterprise of the Spanish Empire) to send farm labourers to work in the Americas. The 1511 ordinances made emigration easier, simplifying the bureaucracy, and offered incentives such as tax reliefs.[69] Haring reported that the Crown instructed the House of Trade 'to advertise throughout the poorer regions of Castile the richness of the islands and the opportunities for improving one's lot offered by emigration'.[70] Eric Williams wrote that 'a constant and steady emigration of poor whites from Spain to Cuba, to the very end of Spanish dominion, characterized Spanish colonial policy'.[71] Contemporaries expressed fears of the labour shortage that could be caused by this emigration to empire, leaving no one to plough the fields and creating poverty in Spain. This perception continues to appear in socio-economic histories of Spain; for example, Casey argued that 'the demographic costs of imperialism were high'.[72] However, the precise numbers of imperial emigration are unknown. There is evidence of emigration in licence applications, but the real number is likely higher; one estimate is for 5,274 emigrants a year 1561–1600, and 3,869 in the period 1626–50, falling as Spain's population declined.[73]

The consideration of the Iberian poor to address the labour shortages of the Spanish Empire was part of the broader moral debate on the legitimacy of the institution of slavery. In 1516 Las Casas reported on the depopulation and devastation of the West Indies and proposed a moratorium on the use of Indigenous American labour. It was at this point that Las Casas proposed the use of enslaved Black people rather than Indigenous Americans, a position which he later regretted. In 1518 Las Casas proposed another solution to the labour shortage of the Spanish Empire, developing a plan for peasant immigration. The Crown did issue peasant statutes for Spanish farmer emigrants. In 1518 the Crown issued the 'Privileges and Liberties granted to Farmers who go to the Indies', which aimed 'to develop the land, provide an opportunity for improvement to those who live in poverty in Spain despite their unremitting labor, and to occupy the new found lands so that foreigners will not do so'.[74] The Spanish Crown tried to legislate to make it easier for poor labourers to go to the Americas. In 1519 the Crown issued a royal decree to the officials of the House of Trade to allow the labourers travelling with Lope de Sosa from the Canary Islands to the American mainland to have free passage, for them and for their seeds and tools.[75] Another roya decree the same year requested that the workers in the Canary Islands were able to sell

[69] See Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America* (Philadelphia: University of Pennsylvania Press, 1949), 55. See also Clarence Haring, *The Spanish Empire in America* (New York; Oxford University Press, 1947), 222.

[70] Haring, *The Spanish Empire in America*, 222.

[71] Eric Williams, *Capitalism and Slavery* (New York: Russell & Russell, 1961), 15.

[72] James Casey, *Early Modern Spain: A Social History* (New York: Routledge, 1999), 23.

[73] García Cárecel et al. (eds) (1991), 69–70, cited in Casey, *Early Modern Spain*, 25.

[74] Cited in Hanke, *The Spanish Struggle for Justice*, 60.

[75] AGI, Panama, 233, L.1, F. 248r–248v.

their land at a fair price so that they would more easily be able to travel to the Americas.[76] Las Casas's 1518 vision for peasant immigration was not realised; according to Hanke and D. T. Orique, it was blocked by wealthy landowners in Spain who did not want to lose their labourers, and the Council of the Indies refused financial support.[77]

In 1521 Las Casas realised his project for the supposedly peaceful colonisation of the Americas with peasant farmers, establishing the settlement of Cumaná on the northern coast of Venezuela. As Lewis Hanke summarised, the idea for this mission was that 'the poor and lowly peasants of Spain would enjoy an opportunity to improve themselves in the Americas, these industrious people would develop the King's newly discovered lands, thus increasing royal revenue, and above all the natives would be Christianized, not brutalised or despoiled of their wives or property'.[78] The concession granted to Las Casas was a fraction of what he had requested and was underfunded, and he arrived heavily indebted in a region that had already been disturbed by previous attempts by colonists to extract resources and enslave locals. Las Casas's peasant-farmer colonisation initiative ended in failure. Other Spanish colonists continued slave raids in the region. Successful Indigenous resistance resulted in the deaths of several of the colonial settlers and the colony was abandoned.

Concerns about labour shortages in Spain and in the Americas were part of the broader political-economic climate when Juan Luis Vives wrote his treatise on the poor in 1526 and Charles V began issuing his poor laws. Given the demands for labour in the sixteenth century, it is unsurprising that the differentiations of the poor between categories of deserving and undeserving which emerged in the new moral treatises on poverty focused upon the body's capacity to work. Early sixteenth-century policy makers distinguished between the able-bodied and the disabled. The examination of the morality of the poor, the criteria upon which notions of deserving and undeserving were based, focused upon capacity for work. If someone was able to work but did not and was poor, this was increasingly seen as a moral failing and classed as idleness.

The poverty treatise written by the councillors of Ypres advocated examining the bodies of the poor and their capacity for work, seeing the poor's reliance on the produce of another person's labour as a moral and social threat. It lamented:

> these strong and lazy beggars everywhere were living at their pleasure without any labour, in sloth and idleness, like drones. They are a nuisance to many,

[76] AGI, Panama, 233, L.1, F. 249v–250r.
[77] Hanke, *The Spanish Struggle for Justice*, 62; D. T. Orique, 'Bartolomé de las Casas' Critique of War and Vision of Peace', in W. John Morgan and Alexandre Guilherme eds, *Peace and War: Historical, Philosophical, and Anthropological Perspectives* (London: Palgrave, 2020), 11–32, 16.
[78] Hanke, *The Spanish Struggle for Justice*, 55.

> eating other people's food, always wandering, always unstable, without the restraint or control from anyone, shameless, unpunished, running as they pleased.[79]

The poverty treatise of Vives also emphasised the need to work to avoid poverty, and how this resulted in the specialisation of labour:

> each person, so as to provide for his own needs and the needs of others, applied himself to the job for which he found he had the greatest aptitude and was most disposed to follow. Some took to fishing, some hunting, agriculture, guarding herds, waving, construction or other professions useful or necessary to life.[80]

Vives warned that:

> those who can work should not remain idle, because Paul the discipline of Christ, forbids it (II Thessalonians 3: 10). The law of God subjects mankind to work and the Psalmist says that happy is the man who eats bread earned by the work of his hands (Based on Psalm 127, verse 2). Although nothing is softer and easier than leisure and idleness, if people get used to doing something, nothing will seem to them as painful and detestable as having nothing to do, nothing as agreeable as work... For a man accustomed to work, whether by habit, or by the nature of the human condition, inaction and idleness are a sort of death.[81]

Vives argued that those who cannot find work for themselves should be assigned work by the public authorities.[82] If they knew trades then they could be commissioned for public works, and they should be used for any labour needed for the hospitals.[83] This focus on labour and the appropriation of the labour of the poor to maintain civic welfare institutions became a model that was extended across the New World.

It is not known how many people were condemned to galley service in the sixteenth century. Martz noted that while the 1552 made it easier to sentence poor people to galley service, it was not greatly enforced, either because it was poorly communicated, cumbersome, or because *procuradores* thought it was too severe, and many vagrants continued to be exiled instead.[84] Poor people condemned to galley service evoked sympathy in the sixteenth century. In 1565 the confraternity of piety and charity (*Cofradía de la Piedad y de la Caridad*) was established to provide charity for the officers and crews of the galley ships as well as forced labourers (often referred to as *forzados*). As the Spanish Empire expanded, so too

[79] City of Ypres, *Forma Subventionis Pauperum*, Spicker ed., 120.
[80] Vives, *De Subventione Pauperum*, Spicker ed., 10. [81] Ibid., 28. [82] Ibid., 74.
[83] Ibid., 74. [84] Martz, *Poverty and Welfare in Habsburg Spain*, 30.

did empathy for the poor sentenced to galley service. In 1597 one man left 200 *ducados* to the poor in the prison of Toledo who had been condemned to galley service; he specified that the alms must go to these galley slaves who were otherwise in danger of dying from sickness, hunger, and nakedness.[85] Tougher sentencing of the poor and increased distance did not break moral obligations to the poor.

Throughout the sixteenth century, poor relief institutions increasingly focused upon putting the poor to work in institutions. The poor relief institutions proposed by Giginta in 1579 were particularly focused upon labour. Giginta recommended that all the poor in these institutions be put to work in wool or silk manufacturing, or whatever labour was most appropriate to the time, land, and skills available.[86] He added that the labour should be appropriate to the gender of the institution's inhabitants.[87] Giginta's proposals were framed within the reinvigorated charity of the Counter-Reformation and saw teaching the Christian doctrine as a top priority for the poor relief institutions.[88] He also stipulated that pilgrims, and travellers with legitimate business, could be given food and be exempted from work for up to three days, but that all measures should be taken against anyone feigning to be a pilgrim to stop 'vicious wandering.'[89]

Migration from the Iberian Peninsula affected population trends, but so too did migration (both forced and voluntary) to the Iberian Peninsula from Africa and the Americas. The Iberian Peninsula had one of the highest populations of enslaved peoples in Europe. The slave population of sixteenth-century Seville was the largest in Europe, estimated at 6,327 out of a population of 85,538 in 1565.[90] Enslaved people in the Iberian Peninsula were often kept in conditions of poverty, but they were not categorised as poor people, which had moral and religious implications in the medieval and early modern periods.

Poverty Reforms and Citizenship

While the poor were a kind of sacred group according to the Christian vision of social order in the Middle Ages, there had always been a sense that some groups were more morally deserving than others. Many of these distinctions of groups of people particularly in need of protection followed the paternalistic model of power. Widows, unmarried women, children, especially orphans, and the disabled were all historically part of a particular type of deserving poor. In the sixteenth century, partly due to increased demands for labour, attitudes hardened against the able-bodied poor, especially males. But this was not the only criteria

[85] AGI, Indiferente, 744, N.259. [86] Miguel de Giginta, *Tratado de remedio de pobres*, 68.
[87] Ibid., 69. [88] Ibid., 77. [89] Ibid, 69.
[90] Ruth Pike, *Aristocrats and Traders* (Ithaca, New York: Cornell University Press, 1972), 141.

of moral judgement. Many of the social policy texts of the sixteenth century focused upon whether someone was a good Christian, if they received confession and communion, respected the prohibitions against eating meat on certain days, and knew the Christian doctrine.[91] This issue of whether someone was a good Christian or not was particularly charged in a climate of fear surrounding the *limpieza de sangre*, where 'New Christians', those whose families had converted from Judaism (also known as Conversos) or Islam (also known as Moriscos), could be investigated by the Inquisition. From this perspective, the moral judgement of deserving and underserving poor can be seen as a broader policing of identity in the Iberian world. Captives, those who had been taken prisoner by Muslims from the Ottoman Empire in the Mediterranean, were another historical category of deserving poor who were especially worthy of Christian charity and this reinforced the civilisational component of the moral judgement of the poor.

The moral judgement of the poor also increasingly targeted the wandering, or migrant, poor who were branded as vagabonds. It was harder to govern and tax the wandering poor and to put them to work. As the moral-political economy was changing in the sixteenth century, there was increased focus upon the mobile poor, who were classed as morally and culturally deviant. More mobile individuals or groups, unless they were wealthy traders, came to be marked out and associated with particular characteristics. The wandering vagabond became a stereotype in picaresque literature. As we will see in the next chapter, this association of itinerant lifestyles with immorality in the Old World came to inform proto-racial differentiations of different groups of Indigenous people in the New World.

In the Iberian Peninsula, minorities were increasingly labelled as poor of the deviant and dangerous kind, *vagabundos*. Expanding and controlling the labelling and prosecution of poverty was a strategic way of using the poor laws to appropriate labour minorities within Europe. Spain's historic Roma communities were particularly affected and disproportionately sentenced to galley service.[92] Their nomadic lifestyle and movement between communities meant that they could be denied *naturaleza* categories and be classed as 'vagabonds' and social deviants. This added to the pressures they already faced by the Inquisition, which monitored them for spiritual and moral deviance. By associating the Roma with vagrancy, the Spanish government was able to legitimate conscripting Roma to fill the galleys. In 1539 male gypsies aged 20 to 50 who were without employment and without master were sentenced to galleys for six years. By 1552 this sentence had increased to eight years for a second offence and life for a third. The poor

[91] For example see Miguel de Giginta, *Tratado de remedio de pobres*, 24.
[92] See Richard Pym, *The Gypsies of Early Modern Spain, 1425–1783* (Basingstoke: Palgrave, 2007), and Richard Pym, 'Lives at the Margin: Spain's Gypsies and the Law in the Late Sixteenth and Early Seventeenth Centuries', in R. Cacho and C. Egan eds, *Routledge Companion to Early Modern Spanish Literature and Culture* (Abingdon: Routledge, 2022).

laws provided a convenient framework for marginalising minorities and appropriating their labour.

The newly emerging distinctions between deserving and undeserving poor in the Spanish Empire were increasingly seen not only in relation to labour but also in relation to place of origin. The language of the legal documents suggests that the division was between those who could claim to be the true poor, *pobres*, and those without a fixed location who were classed as vagabonds. The issue of poverty, and of who should be provided for and how, was increasingly linked to the question of citizenship.

Welfare provision was to be restricted to citizens, and the foreign poor were increasingly seen as a threat. The changing moral economy of poverty helped construct newly emerging notions of citizenship and socio-racial hierarchies.

Vives clearly stated that in distributing charity, magistrates should focus on 'producing good citizens'.[93] Vives conceptualised the poor as contagious, threatening the contamination of citizens and civic spaces. He recommended that when the poor register for a licence to beg they should complete this registration outside 'so that their filth may not pollute the Senate Chamber'.[94] This disrupted the poor from their traditional place within Christian society.

The wandering poor had been common to medieval landscapes and were often invested with religious meanings. There was a long tradition of pilgrimage in medieval Europe, whereby penitents would dress as the poor and undertake journeys to places of religious significance. The poor laws also restricted the movement of pilgrims, and prevented people from dressing like a pilgrim without a licence. The mendicant orders had also emerged in the thirteenth century to live as the poor, wandering from place to place begging for alms. Many mendicants also opposed this restriction on the freedom of movement of the poor. The wandering of the poor, crossing community boundaries, was seen as a threat to the social order in Europe and Americas.

The councillors of the Ypres scheme acknowledged the established view that Christian charity was due to all poor, but he introduced the idea that resources were scarce and therefore decisions had to be made about which poor to prioritise. They advocated that citizens should be cared for before strangers:

> God approved nothing better than kindness towards our neighbour for he that loves his neighbour fulfils the law. We think then that pity should be stretched to all poor people on every side, but yet in such manner that order is maintained. We prefer our own citizens, whose personas and manners we know, to strangers with whom we have no acquaintance.[95]

[93] Vives, *De Subventione Pauperum*, Spicker ed., 36.
[94] Juan Luis Vives, *On Assistance to the Poor*, 38.
[95] City of Ypres, *Forma Subventionis Pauperum*, Spicker ed., 127.

Similarly, Vives argued that 'where beggars are able bodied, foreigners should be sent back to their cities or villages, as is already ordered by the Emperor's law, but with provision for a journey'.[96] Vives made an exception for beggars who had come from places of war, explaining that they should be treated as citizens. The poor had to be citizens to ask for alms, except in extreme circumstances. In 1545 Juan de Robles went further than Vives and argued that foreign paupers should be denied right of entry.

Vives drew on classical examples to advocate the investigation of the foreign poor, and to place an emphasis on the importance of labour:

> In ancient times, this service was provided by the office of Questor, or Censor, among the Romans, and among the Athenians in the court of Areopagus. When the old practices had deteriorated, they were revived by the Emperor Justinian in codifying the duties of the Questor. These included the injunction to survey all persons—both ecclesiastic and secular, of whatever rank and fortune—asking who they were, from whence they came, and for what reason they were there. That same law allowed no one to live in idleness.[97]

Vives advocated the scrutinisation and differentiation of the poor. The subsequent policy recommendations focused on the importance of work and place of origin. Vives advocated regulating the movement of the poor by requiring them to register for a licence to beg.[98] Poverty became central to state-making and good governance.

The new poverty legislation was linked to the development of the state in Spain. The status of *naturaleza*, understood as being native (natural) to a particular community, and *vecinidad*, another category of local belonging, came to be important and came to be associated with notions of citizenship. As Tamar Herzog has shown, this emphasis on linking people to categories of *naturaleza* and *vecinidad* were important to the project of constructing a community of natives in the kingdoms of Spain, which was part of Spain's project of nation building.[99] These categories of belonging were differentiated along ethnic, moral, and religious lines to create hierarchies upon which to establish new social orders. The regulation of the poor and the restriction of resources to communities were part of new projects of nation and empire building.

Across Spain and the Americas, there were many complaints about vagabonds as the wandering poor were seen as a source of crime and social unrest. In the Americas, so-called vagabonds were blamed for misfortunes such as broken

[96] Vives, *De Subventione Pauperum*, Spicker ed., 73.
[97] Vives, *On Assistance to the Poor*, 44.
[98] Ibid., 38.
[99] Tamar Herzog, *Defining Nations, Immigrants and Citizens in Early Modern Spain and Spanish America* (Yale: Yale University Press, 2003).

fishing nets.[100] They were also seen as more serious threats to social order. In 1578 Joaqui de Laso, a lieutenant from the town of Izucar, wrote to the *real sala del crimen*, part of the *Audiencia* of New Spain that handles criminal cases, against the problem of vagabond subjects in the region which he saw as threatening stable rule.[101] Across the Spanish Empire, use of anti-poverty legislation to restrict movement became important to the way in which society was governed. The issue of vagabonds was important to the governing of colonial society. A 1591 letter to the mayor of Tepeaca asked for information about the presence of mestizos, single Spaniards, or vagabonds in the town.[102] Another letter to the mayor of Tecamachalco complained of the danger and costs of vagabonds going around the town.[103] As in the Iberian Peninsula, those classed as vagabonds in the Americas could be pressed into relations of servitude, their labour appropriated.[104]

The Spanish imperial state emerged in the Iberian Peninsula and overseas possessions at the start of the sixteenth century amid the backdrop of ideological crisis of the Reformation and the political constitutional crisis which came to a head with the *comunero* revolt. The *comunero* showed the social and political unrest that could be caused when the moral-political economies were challenged, and the limitations of Crown sovereignty. The *comunero* revolt occurred at the same time that the Spanish Empire invaded the Aztec Empire and encountered its city states. In the Iberian Peninsula and the Americas, the Spanish imperial state expanded by incorporating city states and by reforming public policies to expand population governance through welfare institutions and poor laws.

Empire of Poverty: The Moral-Political Economy of the Spanish Empire. Julia McClure, Oxford University Press.
© Julia McClure 2024. DOI: 10.1093/9780198933908.003.0005

[100] AGNM, Indiferente virreinal caja 1331 6410 expediente 16.
[101] AGNM, Indiferente virreinal caja 2215 / 7294 / 19 expediente 019.
[102] AGNM, Instituciones coloniales indios, vol. 5 15046 / 399 expediente 385.
[103] AGNM, Instituciones coloniales indios, vol. 6 1 a parte 15047 / 315 expediente 313.
[104] For example, see AGNM, Instituciones coloniales indios, vol. 5 15046 / 1029 exped 1012.

5

Making Indigenous Poverty for a New World

As we saw in Chapter 2, despite the abundance of many pre-invasion Indigenous societies, colonial commentators often described Indigenous people as poor. Classifications of Indigenous people as poor was first an ideological invention that often became a material reality. Through colonisation, Indigenous people were made poorer economically at the same time that they were coded as poor socio-culturally and legally. The socio-cultural and legal coding of Indigenous people as poor was part of the political project to construct and legitimate a new imperial world order defined by inequality. Moral notions of deserving and undeserving poor were used to govern the newly emerging colonial society, and colonial subjects could be punished for crimes of vagrancy and idleness. Colonial subjects could also protest these rulings, like Juan, an '*indio*' (Indian), who in 1560 claimed he had been unjustly imprisoned in the prison of Santa Fe de Bogota,[1] and claims about poverty were part of the rhetoric of Indigenous petitioning. The previous chapter explored how the transformation of the moral economy of poverty in the long sixteenth century played a role in early modern state formation, as new moral beliefs about the deserving and underserving poor were the subjects of new discourses and institutions of labour and governance. This chapter examines how changing moral and religious beliefs about poverty were used to construct Indigenous people as colonial subjects, and how laws and institutions of poverty helped create the legal and political frameworks of the Spanish Empire. The Spanish Crown used the language of the moral economy of care to articulate sovereignty claims in the Americas, and at the same time Indigenous people were constructed as the new poor for the new global imperial world order.

While cultural beliefs, laws, and institutions concerning poverty that had developed in Europe shaped the construction of Indigenous people as colonial subjects and structures of colonial governance, this did not mean that European concepts and institutions were simply transplanted to the New World. Rather there began in the sixteenth century a global dialogue concerning people, place, and power, which had changing cultural beliefs about poverty at their centre. The

[1] AGNC, Caciques_Indios, 32, D.19.

emergence of global history and increased understanding of the agency of Indigenous peoples have moved historical models away from the colonial 'diffusionist' model of world history, which saw concepts, laws, and institutions as emanating from Europe,[2] to models of history that recognise both the active intellectual and political contributions of Indigenous people and Afro-descendants and the way in which European histories were influenced by conversations taking place in other parts of the world.[3] Indigenous people interacted with and helped shape the beliefs, laws, and institutions that were emerging in the colonial context, strategically interacting with them to negotiate resources.

Legal Construction of Indigenous Poverty

On the eve of colonialism, the Americas were home to a diverse range of linguistically, culturally, and socially diverse groups of Indigenous peoples and the amalgamation of these peoples into the universal category of *indio* (Indian) was part of the creation of a new colonial fiction. As Tamar Herzog has observed, even the category of 'native', which was often used to refer to Indigenous people in colonial sources, 'was not meant to reflect a reality of indigeneity as many have assumed, but instead was geared towards attributing them with a particular legal status, which in Peninsula Spain was reserved to members of the political community (*naturales*)'.[4] The long sixteenth century was characterised by debates about who these Indigenous peoples were, how they could be categorised, and how their differences could be accounted for. The moral discourses developing in the Iberian Peninsula concerning poverty, especially differentiations of deserving and undeserving poor and the importance of place of origin, resonated in these transatlantic debates about the status of Indigenous people and their capacity to work within an ideally ordered society. The moral discourse of care was regularly invoked to construct Indigenous people as colonial subjects. The legal question of who Indigenous people were, and whether they could be classified as slaves and have their labour appropriated, arose at the start of the Spanish conquest of the Americas. Christopher Columbus brought Indigenous people as slaves to Spain, but in 1500 the Spanish monarchs issued a royal order that the Indigenous people that had been brought from the Caribbean Islands and put up for sale as slaves were free, and should be returned to their country of origin (*paises de su*

[2] See James M. Blaut, *The Colonizer's Model of the World: Geographical Diffusionism and Eurocentric History* (New York: Guilford, 1993).

[3] For example, Saliha Belmessous ed., *Native Claims, Indigenous Law against Empire, 1500–1920* (Oxford: Oxford University Press, 2012); see also Thomas Duve, 'What Is Global Legal History?', *Comparative Legal History*, 8: 2 (2020), 73–115.

[4] Tamar Herzog, 'The Appropriation of Native Status: Forming and Reforming Insiders and Outsiders in the Spanish Colonial World', *Journal of the Max Planck Institute for European Legal History*, 140–9.

naturaleza).[5] In 1501 the monarchs issued another *cédula real* (royal decree), this time to the mayor of Pálos, ordering the return of enslaved Indigenous people who had been brought from the West Indies to the town.[6] This early royal ruling against the enslavement of Indigenous Americans did not prevent the abuse of Indigenous Americans, the appropriation of their labour, or even their outright enslavement, but it did shape the way in which Indigenous people were classified and regimes of forced labour developed in the Spanish Empire.

These early colonial laws against Indigenous slavery did not prevent their enslavement. Estimates of the number of Indigenous Americans enslaved from the Spanish arrival in the Americas until the nineteenth century range between 2.5 and 5 million souls.[7] A number of 'illegally' and 'legally' enslaved Indigenous Americans were sent to the Iberian Peninsula; around 2,500 Indigenous Americans were recorded as having arrived in Castile between 1493 and 1550,[8] but the number is likely higher. Around 10,000 Indigenous Americans from the valley of Mexico were taken to work in the colonial mines.[9] In the Philippines, Tatiana Seijas describes Manila as a 'slave society' by the seventeenth century, with a diverse population of enslaved people that included Indigenous Filipinos.[10]

Despite the formal ruling against the enslavement of Indigenous Americans, there remained certain 'legal' pathways for the Indigenous Americans to be enslaved. The Spanish used the language of the moral economy of paternalistic care to construct these legal pathways for the enslavement of certain types of Indigenous people. For example, enslaved people were referred to as *rescates* (rescued), and children were particularly vulnerable to enslavement in the name of care and protection.[11] Indigenous Americans could also be enslaved if they were classed as captured in just war (*cautivos*). Certain Indigenous groups were classed as hostile and naturally bellicose and therefore could be enslaved under the terms of just war. This was applied to the Kalinago people of the Caribbean, and to Indigenous people classed as Chichimeca, originally a Nahuatl word used by the Aztecs to describe nomadic and semi-nomadic people from the north and was

[5] Martín Fernández de Navarette, *Colección de los viages y descubrimientos que hicieron por mar los españoles desde fines del siglo XV: con varios documentos inéditos concernientes á la historia de la Marina castellana y de los establecimientos españoles en Indias*, vol. II (Madrid: Imprenta Real, 1825), CXXXIV, 246–7.

[6] Fernández de Navarette, *Colección de los viages y descubrimientos*, vols III, XLIII, 514–15.

[7] Andrés Reséndez, *The Other Slavery: The Untold Story of Enslavement in America* (Boston, MA: Houghton Mifflin Harcourt, 2016), 5.

[8] Jack Forbes, *Africans and Native Americans: The Language of Race and the Evolution of Red-Black Peoples*, 2nd ed. (Urbana, Ill., 1993), 25, cited in Dodds Pennock, 'Aztecs Abroad? Uncovering the Early Indigenous Atlantic', *American Historical Review*, 125: 3 (2020), 787–814, 789.

[9] W. B. Taylor, *Landlords and Peasants in Colonial Oaxaca* (Stanford, CA: Stanford University Press, 1972), 23.

[10] Tatiana Seijas, *Asian Slaves in Colonial Mexico: From Chinos to Indians* (Cambridge: Cambridge University Press, 2014), 33.

[11] Nancy E. van Deusen, *Global Indios: The Indigenous Struggle for Justice in Sixteenth-Century Spain* (Durham, NC: Duke University Press, 2015), 68.

taken up by the Spanish to mean 'barbarians'. Similarly, in the Philippines, it was seen as legal to enslave the Indigenous people known as *Negritos* (or *Zambales*).[12] In 1503 the Spanish Crown had clarified that cannibals could be enslaved. Various Spanish commentators described different Indigenous groups as cannibals; for example, Columbus described the Caribes of the Caribbean as cannibals,[13] as did Oviedo.[14] This colonial rhetoric was not an empirical observation but a politically strategic move to construct some Indigenous people as morally deviant, which could facilitate acting in the name of their punishment or protection.

Beyond the formal institution of slavery, to which Indigenous Americans were also vulnerable, there were other ways Indigenous people had their labour appropriated. The Spanish Crown had wanted to construct its image as the legitimate ruler of the Indigenous Americans by presenting itself as their paternalistic carer, but it also had to address the labour needs of the Spanish Empire. It did this by establishing the *encomienda* system, a system of labour tribute that was often scarcely different to slavery (in the Andes this was known as the *mita* system). The *encomienda* system began with the instructions issued to Nicolas de Ovando, third governor of the Indies, in 1501.[15] These instructions stipulated that Indigenous people should be converted, and that the governor should uphold peace and justice: '[S]ince it will be necessary, in order to mine gold and to carry out the other works we have ordered, to make use of the Indians, you will compel them to work in our service, paying them the wage which you think it is just that they should have.'[16] Indigenous people were supposed to be given some form of payment, but seldom were. The *encomienda* system was formalised by the Laws of Burgos, issued in 1512 in the name of protecting Indigenous Americans from abuse. *Encomienda* came from *encomendar*, which was based upon the Roman practice of *commendatio*, by which peasants put themselves under the 'protection' of powerful elites. The *encomienda* contract 'entrusted' Indigenous people to *encomenderos* and described them as being in their care.

[12] Seijas, *Asian Slaves in Colonial Mexico*, 5 and 47. The question of the legitimacy of enslaving Indigenous people in the Philippines was returned to in the 1660s, ruling against the exception of '*Negritos*'.

[13] In his diary of the first voyage, Columbus thought he understood from the people whom he spoke to that there were distant peoples who were cannibals, and who 'when they captured an enemy they beheaded him and drank their blood'; Christopher Columbus, in Clements R. Markham ed., *The Journal of Christopher Columbus (during His First Voyage, 1492–93), and Documents relating to the Voyages of John Cabot and Gaspar Corte Real* (Farnham, England: Ashgate, Hakluyt, 2010), 68. See also Surekha Davies, *Renaissance Ethnography and the Invention of the Human: New Worlds, Maps and Monsters* (Cambridge: Cambridge University Press, 2016), 71.

[14] Gonzalo Fernández de Oviedo, *Historia General de las Indias* (Madrid: Ediciones Atlas, 1959), 257. For a discussion of this see Neil Whitehead, 'Carib Cannibalism, the Historic Evidence', *Journal de la Société des Américanistes*, 70: 1 (1984), 69–87.

[15] AGI, Indiferente, 418, L.1, F.39r-42r, reproduced in Pacheco, Cárdenas, and Mendoza eds, *Colección de documentos inéditos relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas*, vol. 31 (Madrid: Manuel G. Hernandez, 1879), 13–25.

[16] Cited in Lesley Byrd Simpson, *The Encomienda in New Spain: The Beginning of Spanish Mexico* (Berkeley, CA: University of California Press, 1950), ACLS Humanities E-Book XML edition 2008, 9–10.

Despite the Crown's denunciation of the enslavement of the Indigenous Americans, they still experienced the appropriation of their resources and labour as part of the violence of the colonial encounter. In 1511 the Dominican friar Antonio Montesinos denounced the conquistadores' abuse of the Indigenous Americans in his famous speech where he defended their humanity. The Crown used concern for the welfare of the Indigenous Americans, based on denunciations made by Bartolomé de Las Casas and others, to legislate against *encomiendas*. The legislation against *encomiendas* was framed in the moral language of protecting Indigenous people, but was more concerned with restricting the power of the *encomenderos*.

Early colonial legislation such as the Laws of Burgos used the language of care, protection, and provision to frame the laws and construct the legitimacy of Spanish colonial rule over Indigenous people. The laws ordered the resettlement of Indigenous communities, and ordered that their villages should be burnt to prevent their return, but commanded Spanish settlers 'to do this with much care, fidelity, and diligence, with greater regard for the good treatment and conservation of the said Indians than for any other respect, desire, or interest, particular or general'.[17] The Laws of Burgos ordered that Indigenous people should be fed meat after Mass 'in such wise that they eat on that day better than on any other day of the week'.[18] These laws were designed to reproduce the patriarchal structures of the Spanish moral economy; they sought to conserve Indigenous social hierarchies differentiating elites and commoners, and stipulated particular protections for women and children. The associated fines for breaking the rules were to be used to fund hospitals. These laws also stipulated that Indigenous people should have access to religious instruction and sacraments as part of the colonial programme of governance as care. Similarly, in the Philippines at the start of the seventeenth century, colonists took advantage of a rice famine to construct the enslavement of people classed as foreigners as an act of Christian charity.[19]

In 1542 the Crown issued the New Laws of the Indies, which formally replaced the *encomienda* labour tribute system with a new system called *repartimiento*. Like *encomienda*, the *repartimiento* system was open to abuse and did not prevent the appropriation of Indigenous labour by colonial settlers, despite the formal abolition of Indigenous enslavement. Colonists who wanted leases of Indigenous labour through the *repartimiento* had to apply to the viceroy or *Audiencia*, explaining the type of labour required. In theory, *repartimiento* labour was supposed to be paid, and used for public works projects, or forms of production essential to public welfare.[20] In reality, of course, it was used to build the

[17] Lesley Byrd Simpson trans. And ed., *The Laws of Burgos of 1512–1513: Royal Ordinance for the Good Government and Treatment of the Indians* (San Francisco, CA: John Powell Books, 1960), 16.

[18] Ibid., 19.

[19] Seijas, *Asian Slaves in Colonial Mexico*, 37.

[20] Murdo J. Macleod, 'Aspects of the Internal Economy of Colonial Spanish America: Labour; Taxation; Distribution and Exchange', in Leslie Bethell ed., *The Cambridge History of Latin America* (Cambridge: Cambridge University Press, 1984), 219–64, 225.

imperial infrastructure and the system was open to abuse, and *repartimiento* labour could be leased to various private projects. Technically private labour drafts were classed as *servicio personal*, but *repartimiento* contracts were abused. Labour framed as for the public good was often in private interest.

The Spanish Crown also used criminal law sentences to address its labour shortages, sentencing deviants to penal labour. In the 1530s, the *Audiencia* of New Spain introduced a new policy of branding and enslaving Indigenous people who were charged for crimes that would normally receive sentences such as torture, mutilation, service in galleys, or death.[21] While the New Laws abolished the enslavement of Indigenous people in 1545, representatives of the *Audiencia* argued that these criminal sentences were still permissible and indeed necessary for order in the New World. The Crown acquiesced, but in 1555 also ruled that no Indian could be enslaved for life.[22]

Like the Laws of Burgos, the New Laws of the Indies were framed in terms of the care and protection of Indigenous people. Article 10 of the New Laws declared that 'the Indians are free persons and vassals of the Crown, and it has always been the royal purpose to have them treated as such. The Council of the Indies is therefore commanded to see to the execution of the laws for their benefit and protection.'[23] This early colonial legislation, framed in terms of the protection of Indigenous people, contributed to the political construction of Spanish sovereignty in the Americas.

In the New Laws, the Crown asserted itself as the ultimate distributor of justice to the Indigenous Americans, ruling that 'lawsuits involving Indians are no longer to be tried in the Indies, or by the Council of the Indies, but must be pleaded before the King himself'.[24] The Crown used the sovereign principles of justice and welfare to expand its own authority and limit that of the *encomenderos*. The New Laws were not intended as an end to Indigenous American tributes. Article 42 ruled that 'the tributes of newly discovered Indians are to be fairly assessed and delivered to the royal treasurer'.[25] The discourse of fairness was important to constructing the legitimacy of the continuation of the tribute system. The New Laws also tried to show fairness to the conquistadores and ruled that those without *encomienda* should be provided for by the other tributes that Indigenous Americans outside *encomiendas* provided.[26] The Crown tried to invent the image that it was fairer than the pre-conquest rulers; article 49 of the New Laws ruled that tributes paid to *encomenderos* and to the Crown are to be fixed at a lower rate

[21] Woodrow Borah, *Justice by Insurance: The General Indian Court of Colonial Mexico and the Legal Aides of the Half-Real* (Berkeley, CA: University of California Press, 1983), 49. This policy had been recommended by Vasco de Quiroga.

[22] Borah, *Justice by Insurance*, 50.

[23] Article 10, New Laws of the Indies, 1542, cited Simpson, *The Encomienda in New Spain* (Berkeley: University of California Press, 1982), 129.

[24] Article 38, New Laws of the Indies, 131.

[25] New Laws of the Indies, 131.

[26] Article 46, New Laws of the Indies, 131.

than that which obtained under the native rulers. This legal performance of justice and protection was important to the political project of the Crown in the Americas.

Christianity, especially the moral imperative to convert Indigenous people, had played an important role in the legal construction of the legitimacy of the conquest, but already in the early sixteenth century the papal bulls of donation seemed a shaky legal foundation for a global empire. The Dominican friar Francisco de Vitoria, a scholar at the University of Salamanca, took up this question of the legitimacy of in his lecture *De indis* in 1539. Vitoria theorised that Spanish rule in the Americas may be legitimate since the Indigenous Americans may be too weak to govern themselves and therefore in need of protection. Vitoria reasoned: '[T]hey feed on food no more civilized and little better than that of beasts. On these grounds, they might be handed over to wiser men to govern.'[27] Vitoria reasoned that Indigenous people needed to be protected like children, according to the 'requirements of charity, since the barbarians are our neighbours and we are obliged to take care of their goods'.[28] In addition to his discussion of the Roman law of nations (*ius gentium*), this helped lay the legal foundations for the basis of colonial sovereignty through the idea that Indigenous people were a protectorate who needed to be governed as an act of care according to the norms of Christian charity.

In the sixteenth century, Indigenous Americans were not only being constructed as weak and in need of protection by the emerging system of imperial laws but they were also being specifically coded as poor legally. As previously mentioned, in Europe during the Middle Ages, poverty was not only an economic position but also a theologically supported legal position; the early Church Fathers had written protection of the poor into canon law (*corpus iuris canonici*) and the poor had a legal identity as *personae miserabilis*,[29] and this had been written into Castilian legal code. The legal classification of the poor as *personae miserabilis* in medieval society was political. It cast the poor as a protectorate too weak to govern and therefore dependent not only for charity but for governance. The development of the legal coding of poverty in the colonial context helped structure the emerging inequalities of the new imperial order.

Another Dominican defender of the Indigenous Americans, Bartolomé de Las Casas, a less systematic and reasoned thinker than Vitoria, also played a role in the legal invention of Indigenous people as poor. Like many early missionaries, Las Casas often referred to the Indigenous Americans rhetorically as poor

[27] Vitoria, 'On the American Indians' (*de indis*), Anthony Pagden and Jeremy Lawrence eds, *Political Writings* (Cambridge: Cambridge University Press, 1991), 231–92, 291.

[28] Ibid., 291.

[29] See Julia McClure, 'The Rights of the Poor: Taking the Long View', in Steven L. B. Jensen and Charles Walteon eds, *Social Rights and the Politics of Obligation in History* (Cambridge: Cambridge University Press, 2022), 29–46.

(*pobres indios*), but he also specifically identified them in terms of the legal category *personae miserabilis*.[30] In 1545 he wrote a letter to the royal *Audiencia*, the court in Mexico that heard legal cases on behalf of the Crown, explaining that the Indigenous Americans were *personas miserables* and therefore under the protection of canon law.[31] Royal jurists were at first reluctant to classify Indigenous people as *personas miserables* in this way as they did not want to concede authority over Indigenous people to the Church. This was not an inevitable implication of classifying people as *personas miserables*, since in the Iberian legal tradition the legal status had been written into the civil law code as well as canon law.

In 1563 Philip II officially referred to Indigenous people as *miserables*,[32] and in 1571 Philip II issued ordinances for the Council of the Indies which banned other councils from hearing the cases of Indigenous people.[33] This was an attempt to consolidate royal power over Indigenous people by ensuring that the Crown was the protector and dispenser of justice. The 1571 ordinances of the Council of the Indies ordered the Crown attorney to look after the Indigenous Americans, 'whose protection, like that of poor and miserable people, is to be of pressing concern'.[34] The second viceroy of New Spain, Luís de Velasco (1511–64, viceroy from 1550), petitioned the Crown, and this led to the establishment of the General Indian Court of the Indies (*Juzgado de Indios*) in 1591. The *Juzgado de Indios* recognised Indigenous Americans as a particular legal group in need of protection, and gave the viceroy, as the Crown's representative in New Spain, ultimate judicial power over the lawsuits pertaining to Indigenous people.[35] This judicial

[30] Borah, *Justice by Insurance*, 81. Mónica Díaz observed the lasting legacy of this, noting that the way Indigenous people were differentiated in the eighteenth century in terms of 'clase' 'reflects the way society had been built upon criteria from centuries earlier, and it survived to keep the *pueblos de indios* in a lower place in the social ladder': Mónica Díaz, 'Legal Pluralism and the "India Pura" in New Spain: The School of Guadalupe and the Convent of the Company of Mary', in Santa Arias and Raúl Marrero-Fente eds., *Coloniality, Religion, and the Law in the Early Iberian World* (Nashville, TN: Vanderbilt University Press, 2014), 221–40, 231.

[31] 'Representación a la Audiencia de los Confines, 19 de octubre de 1545', AGI, IG, 1381, editado en Bartolomé de las Casas, *Obras Completas*, t. 13: Cartas y Memoriales. Edición de Paulino Castañeda, Carlos de Rueda et Al. (Madrid: 1995, n. XXIII), 199–205, cited by Thomas Duve, 'Algunas Observaciones acerca del *modus operandi* y la prudencia del juez en el derecho canónico Indiano', in *Revista de Historia del Derecho*, 35 (2007), 195–226, 196. See also Ana María Vargas del Carpio, 'Los Indios como "personas miserables" en Bartolomé de las Casas: La jurisdicción eclesiástica como un remedio para las Indias', *Revista de estudios histórico-jurídicos, sección historia del derecho indiano*, XLII (Valparaíso, Chile, 2020), 397–425.

[32] Borah, *Justice by Insurance*, 82. Brian Owensby, *Empire of Law and Indian Justice in Colonial Mexico* (Stanford, CA: Stanford University Press, 2008), 56.

[33] Rafael D. García Pérez, 'Revisting the America's Colonial Status under the Spanish Monarchy', in Thomas Duve, Heikki Pihlajamaki, and Stefan Voganauer eds, *New Horizons in Spanish Colonial Law: Contributions to Transnational Early Modern Legal History* (Frankfurt: Max Planck Institute for Legal History and Legal Theory, 2015), 29–74, 53. The Council of the Indies had been established in 1524.

[34] 1571, Ordinances for the Council of the Indies, cited in Borah, *Justice by Insurance*, 82.

[35] Royal Cédula and letter AGN-RCD, 103: fols. 160v–161v, transcriptions made in 1637, cited in Borah, *Justice by Insurance*, 94. It became a functioning court in 1592 when the first assessors were appointed and it had its first session.

innovation was also a political manoeuvre, enhancing the Spanish Crown's sovereignty over Indigenous people by representing them as *personas miserables*. The Crown was cast as their ultimate protector, establishing a direct relationship through law between the Crown and Indigenous people, reducing the power of other colonial actors who stood to accumulate economic and political capital from the arbitration of Indigenous legal affairs. The Crown used the legal invention of the Indigenous people as poor and asserted itself as the provider of justice, protection, and welfare of Indigenous people in order to construct its colonial sovereignty in the Americas.

The Spanish Crown also issued legislation specifically for the New World.[36] These laws were collected in the *Recopilación de Leyes de las Indias*, which was compiled by Antonio de León Pinelo and Juan de Solórzano Pereira, and approved by Charles II in 1680.[37] Book VI focused upon laws for Indigenous people, but the other books also regulated the interactions between Indigenous and other groups of people. Book VII, Chapter IV, concerned gypsies (Roma) and vagabonds among the colonial settlers in the Americas. These laws inscribed the importance of appropriating the labour of the idle poor and making proto-racial separations of types of poor. Book VII, Chapter IV, Law IV, issued by Charles V in 1555 (and later iterations), ordered that Spanish, *mestizo*, and Indian vagabonds should form towns, where they should be made to cultivate the land if they were old enough. It stipulated that orphans should be restricted to where they grew up. In the towns formed by vagabonds, the Spanish poor and Indigenous Americans should be kept separate. Law I, first issued by Philip II in 1568, forbade vagabonds, especially Spanish vagabonds that lived among the Indians.[38] Law II, issued by Philip II in 1595, specified that any disobedient vagabond who refused to work should be banished and sent to Chile, the Philippines, or other parts. We see in these rulings a significant spatialisation of underserving poor, who were banished to what were imagined to be the wild edges of the Spanish Empire. The policing of vagabonds, those identified as the wandering or idle poor, and the separation of Spanish who were economically poor and Indigenous people who were theoretically poor, became central to idealised colonial order in the New World. These separations were in reality hard to create or enforce, and this legal ordering was often more aspirational than an indication of the structure of colonial society.

The Spanish also developed sumptuary legislation for the Americas as a way to legally codify that Indigenous and Afro-descendant people should appear poorer than Spanish settlers in colonial society. In 1628 Philip IV ordered that 'no Indian may wear clothing made of [imported] fabric, own a sword, dagger, lance,

[36] The body of law for governing Indigenous subjects became known as *derecho indiano*.

[37] *Recopilación de Leyes de las Indias, mandada imprimir y publicar por Carlos II* (Madrid, 1841).

[38] The law was first passed by Philip II, 1568, and again by Philip IV in 1628.

harquebus or gun, nor ride on horseback with saddle and reins, on pain of the loss of the garment, weapon, saddle, reins and horse'[39]—although, as scholars have noted, Indigenous Americans and Afro-descendant people often resisted such legislation.[40]

The legal construction of the Indigenous people as poor continued to shape how they were located in colonial society as it developed in the seventeenth century. In the seventeenth century, Juan de Solórzano Pereira (1575–1655), a legal scholar who had also trained at the University of Salamanca, made an important contribution to *derecho indiano*, the way that Spanish law applied to the Americas. Solórzano Pereira analysed the legal and political relationship between Spain and the Americas in his monumental two-volume *De Indiarum Iure* (1629 and 1639), which appeared in Spanish translation in edited form in *Política Indiana*, published in 1648. Here Solórzano Pereira argued that the Indigenous people should be classed as *personas miserables*, like the poor of Europe, and governed as a protectorate.[41] Like his predecessors from the school of Salamanca, Solórzano Pereira was interested in locating the legality of Spanish imperialism within a Christian moral framework. He used the classification of *personas miserables* that originally come from canon law to develop the legal identity of the Indigenous people, and this was important to the way in which Indigenous people could be located within the Spanish-American legal system.[42]

The Spanish Empire did not only issue poor laws to regulate colonial society but established institutions of governance in the name of protecting Indigenous colonial subjects in the New World. The position of Protector of the Indies (*protectoría de indios*) was first established when the Franciscan friar Cardinal Cisneros granted the title to the Dominican friar Las Casas in 1516. Las Casas, who had later (in 1544) become bishop of Chiapas, was succeeded in the post by the Franciscan friar Juan de Zumárraga, who was also the first bishop of Mexico,

[39] '*Ordenanzas para el bueno gobierno de los indios en las Provincias de Soconusco y Verapaz*', 29 September 1628, *Colección de documentos*, ed. Konetzke, ii pt. 1: 321; cited in Rebecca Earle, 'Race, Clothing and Identity: Sumptuary Laws in Colonial Spanish America', in Giorgio Riello and Ulinka Rublack eds, *The Right to Dress: Sumptuary Laws in Global Perspective, c. 1200–1800* (Cambridge: Cambridge University Press, 2019), 325–45, 326.

[40] See also Danielle Terrazas Williams, 'Finer Things: African-Descended Women, Sumptuary Laws, and Governance in Early Spanish America', *Journal of Women's History*, 33: 3 (2021), 11–35.

[41] Juan de Solórzano Pereira, *Política Indiana*, Book II, Chapter XXVIII (Madrid, printed by Matheo Sacristan, 1736), 203–10. Book 1 of *Política Indiana* discusses the status of Indigenous people, and this is continued in Book 2. See also Julia McClure 'Poverty and Empire', in David Hitchcock and Julia McClure eds, *The Routledge History of Poverty, 1450–1800* (Abingdon: Routledge, 2020), 39–59.

[42] See Thomas Duve, 'La jurisdicción eclesiástica sobre los indígenas y el trasfondo del Derecho Canónico universal', in Ana de Zaballa Beascoechea ed., *La jurisdicción eclesiástica sobre los indígenas y el trasfondo del Derecho Canónico universal* (Madrid: Iberoamericana; Frankfurt am Main: Vervuert; Orlando, FL: Iberoamericana Vervuert Pub. Col., 2011), 29–44. See also M. C. Mirow, 'Juan Solórzano Pereira', in Rafael Domingo and Javier Martínez-Torrón eds, *Great Christian Jurists in Spanish History* (Cambridge: Cambridge University Press, 2018), 240–58, and Víctor Tau Anzoátegui ed., *El Jurista en el Nuevo Mundo* (Frankfurt: Max Planck Institute for Legal History and Legal Theory, 2016).

and then by the priest Hernando de Luque, who had earlier accompanied the Pizarro expedition to Peru. The post began as a religious position but became a more secular administrative post (it lasted longest as a religious position in the Philippines, where the bishop requested its end as the volume of Indigenous legal cases made it difficult to manage).[43] In 1590 the viceroy of New Spain (Luis de Velasco (*c.*1534–1617), the son of the second viceroy with whom he shared a name, sometimes referred to also as *hijo*), named the sheriff protector of the Indians (*alguacil amparador de indios*) along with the vagrancy sheriff (*alguacil de vagabundos*), and both played a role in governing colonial society.[44] In 1591 the Crown ordered the viceroy of New Spain to establish an administrative position for managing the legal affairs of Indigenous people in the name of their protection.[45] In 1592 Luis de Velasco also named a lawyer and attorney for the Indigenous people (*letrado y procurador de indios*),[46] who acted like the attorneys for the poor (*procuradores de pobres*) in Spain and were paid to hear the legal cases of the Indigenous people. The legal construction of Indigenous people as a type of poor people facilitated the development of the colonial administration. Further, the creation of this colonial administrative position indicates the way in which power in colonial society was migrating from religious elites (the bishops who had first been named protectors of the Indians) to the secular colonial administration by the end of the sixteenth century.

The Moral Differentiations of the Poor and Imperial Inequalities

While Las Casas had identified Indigenous people as poor in order to emphasise their civilised nature through association with the Christian virtue of poverty, the moral meaning of poverty had fractured in the sixteenth century and the poor were increasingly divided into categories of deserving and undeserving. Categorisations of deserving and undeserving poor were used to differentiate colonial subjects and govern colonial society. Sedentary Indigenous people, who were more likely to pay tribute, were likely to be described as '*pobres indios*', classed as civilised and in need of protection, while nomadic Indigenous people risked being identified as vagrants and sentenced to penal labour like the undeserving poor of Europe. Mobility, which had been an important resource for mitigating scarcity, was increasingly criminalised as it threatened the elite's capacity to control labour.

[43] Mauricio Novoa, *The Protectors of Indians in the Royal Audiencia of Lima: History, Careers and Legal Cultures, 1575–1775* (Leiden: Brill, 2016), 36. See also Charles R. Cutter, *The Protector of Indios in Colonial New Mexico, 1659–1821* (Albuquerque: University of New Mexico Press, 1986).

[44] 'Letter from the Viceroy, 1590' AGI, Mexico, 22, N.16.

[45] AGNM, Indiferente, 433, L.2, F. 70r–71v.

[46] AGNM, MEXICO, 22, N.72.

Nomadic and semi-nomadic Indigenous groups inhabiting the Central Mexican Plateau were referred to in the Aztec Empire by the Nahuatl word Chichimeca. The term Chichimeca was continued by the Spanish to classify Indigenous people in northern Mexico who they described as wild and bellicose. The Spanish waged war against a confederation of Chichimeca groups between 1550 and 1590 as silver had been found in Zacatecas, in the heart of Chichimeca territory. While the Spanish rushed to seize the silver from Chichimeca lands, the Chichimeca were culturally coded like the undeserving poor in Europe and conceptualised as vagabonds. In the Codex Xolotl, a post-conquest source with Nahuatl text probably based upon images from the fifteenth century,[47] the Chichimeca were depicted wearing bearskins.[48] The Codex Xolotl narrated the history of the arrival of the Chichimeca lords into Texcoco, a history elaborated by the mestizo Fernando de Alva Ixtlilxochitl (c.1578–1650), a descendant of the lords of Texcoco.[49] For European observers, the depiction of Chichimeca wearing bearskins further emphasised both their wildness and lack of possessions. Fabiola Orquera has observed the way that different ethnic groups such as the Chichimeca were depicted according to dress to represent their different socio-economic status.[50]

Colonial officials used moral categories of deserving and undeserving poor to differentiate different groups of Indigenous people as they sought to govern colonial society. For example, one local administrator, Toribio Gonzalez, described the problems he had in protecting the poor natives in his community from the Chichimeca of the frontier.[51] Criteria like place of origin increasingly mattered to one's moral status, as it did with the poor in Europe.

The category of poverty helped create a moral topography of empire. Places that were far from colonial urban centres and difficult to control were likely to be classed as poor. In 1532 Spanish colonists defeated the Inca Emperor Altahualpa and, although Incan resistance continued (at least until the defeat of Vilcamba in 1572), the colonial kingdom of Peru was created, and Lima became the viceregal capital in 1542. In 1551 the Spanish Crown ordered the viceroy of Peru, Antonio de Mendoza, to make all Spanish vagabonds and idlers settle to a trade, and if they did not and were not married, the Crown ordered that they should be expelled from Peru and returned to Spain.[52] The Crown was trying to create a

[47] Pablo García Loaeza, 'The Transcoding of the Codex Xolotl in Don Fernando de Alva Ixtlilxochitl's Historia de la Nación Chichimeca', *Ethnohistory*, 66: 1 (2019), 71–94.

[48] Codex Xolotl, Bibliothèque Nationale de France, Manuscripts, Mexicain 1–10; https://gallica.bnf.fr/ark:/12148/btv1b10303816n (accessed 8 March 2024). See Figure 5.

[49] Fernando de Alva Ixtlilxochitl, *Historia de la Nación Chichimeca* (Madrid: Historia 16, 1985).

[50] Yolanda Pabiola Orquera, '"Race" and "Class" in the Spanish Colonies of America', in Margaret Rich Greer, Walter Mignolo, and Maureen Quiligan eds, *Rereading the Black Legend: The Discourses of Religious and Racial Difference in the Renaissance Empires* (Chicago: University of Chicago Press, 2008), 167–87, 173.

[51] AGNM, Indiferente virreinal caja 4739/9818/10 expediente 10 indios cajas 4739.

[52] AGI, Lima, 567, L.7, F. 33v.

proto-racial regime of imperial inequality, a social order in which Spanish people were rich and Indigenous people were poor. Further south, the Mapuche, who had resisted the Incan Empire, now resisted the Spanish and there were significant insurrections against attempts of Spanish rule in the sixteenth and seventeenth centuries. The Mapuche, many of whom practised itinerant swidden agriculture (sometimes called slash and burn agriculture) like the Indigenous people of the tropical forest zones of Mesoamerica, were hard to colonise. From the earliest encounters in the 1530s, colonists described the lands and peoples of Chile as poor.[53] The concept of vagrancy became important to policing people in Chile which was seen by the Spanish Empire as a frontier zone.[54]

Moral beliefs about labour which had developed to differentiate the poor in Europe helped frame the construction of Indigenous people as colonial subjects. While Indigenous people classed as vagabonds like the undeserving poor of Europe could have their labour appropriated, the situation was often not much better for the Indigenous people who were cast in the colonial moral imagination as deserving poor. Classifications of poverty were part of the construction of colonial subjectivity. At the end of the sixteenth century in his *Natural and Moral History of the Indies*, the Spanish Jesuit missionary José de Acosta (1539/40–1600) differentiated different groups of Indigenous people, romanticising some as ideal types of subordinate people thanks to their lack of property. He wrote: '[T]he Indians attained true perfection after their fashion by not having individual ownership, providing everyone with necessities, and supporting so amply all matters pertaining to religion and their lord and master.'[55] Acosta described that in Mexico before the conquest, children had been brought up accustomed to hardship, so that they were prepared 'to work and not be idle'.[56] Such descriptions of Indigenous Americans as happy to work and provide tribute contributed to the construction of Indigenous colonial subjectivity. Other colonial texts described the Indigenous Americans as idle and needing to be put to work for their moral good.[57]

At the dawn of European colonialism, the New World had been imagined by Europeans as a place of abundant riches ripe for the taking. Many Europeans who crossed the Atlantic imagined this journey not only as a spatial move but also as a social move. Europeans who travelled to the Americas, many of whom had been poor in the Old World, did not want to be poor in the New. The newly

[53] In 1533, one year before the Governorate of New León was established in the Southern Cone, Crown administrators were already establishing the revenue for a hospital for the poor of the region: AGI, Chile, 165, L.3, F. 45v–46v.

[54] See Alejandra Araya Espinoza, *Ociosos, Vagabundos y Malentretenidos en Chile Colonial* (Santiago, Chile: Dirección de Bibliotecas, Archivos y Museos: LOM Ediciones: Centro de Investigaciones Diego Barros Arana, 1999).

[55] José de Acosta, *Natural and Moral History of the Indies*, intro. and commentary Walter Mignolo, trans. Frances López-Morillas (Durham, NC: Duke University Press, 2002), 355.

[56] Ibid., 373.

[57] *The Laws of Burgos*, Simpson ed., 15.

emerging global imperial order needed a new class of poor, not least to address the issue of chronic labour shortages. In this context, new socio-racial hierarchies emerged in the Americas which associated Europeans with wealth and indigeneity with poverty. In the National Archive in Mexico City there are petitions for poor Spaniards to be kept out of sight from Indigenous Americans[58] as the presence of poor Spaniards risked upsetting the new fiction of colonial society. Such measures contributed to the racialisation of poverty in the Americas.

The cultural association of Indigenous people with poverty had begun at the start of colonialism in the writings of the mendicant missionaries, who still valorised poverty, albeit problematically, as a Christian virtue. Yet this was taking place in a changing socio-economic and political context where poverty was increasingly seen as a failure, especially a failure to work. Using the discourses of the undeserving poor that had developed in the Habsburg Empire at the start of the sixteenth century, Indigenous people were often described as idle and lazy, and needing encouragement to work, like the undeserving poor in Europe. The language of the changing moral economy of poverty was used to frame the appropriation of Indigenous labour.

Many of the processes of categorisation theorised by colonial scholars in the early modern period were idealised and not representative of the complex realities and mutable identities of the early modern world. In practice, the edges of colonial categories such as *indio*, *negro*, *mestizo*, *blanco*, were blurred. On both sides of the Atlantic, individuals could try to use legal processes to negotiate their identity status.[59] While scholars and administrators tried to theorise the ideal colonial order, people also played active roles to negotiate their status within colonial society.

Poverty and Colonial Blackness

In the late medieval and early modern periods, identities were not fixed or determined by colour but rather were mutable and determined by a range of socio-economic, cultural, and political factors. Skin colour was only one part of a complex and mutable system of classification and belonging. In the Iberian world, confessional identity, and what was known as purity of blood (*limpieza de sangre*), were of heightened importance and policed by the Inquisition. Some historians have seen *limpieza de sangre* beliefs as laying the foundations for modern

[58] AGNM, Instituciones colonial indios vol. 6 1ª parte 1504/315 exped 313.

[59] Tamar Herzog, 'The Appropriation of Native Status: Forming and Reforming Insiders and Outsiders in the Spanish Colonial World', *Journal of the Max Planck Institute for European Legal History* (2014), 140–9; and Nancy E. van Deusen, 'Passing in Sixteenth-Century Castile', *Colonial Latin American Review*, 26: 1 (2017), 85–103.

racism as cultural beliefs were seen as biologically embodied,[60] but Iberian notions of belonging were still determined by cultural attributes and mutable. Socio-cultural factors of belief, dress, and language were part of the classification matrix as much as corporal factors such as skin colour. This was changing in the early modern period as colour came to be conceptualised, by the eighteenth century, as an indicator of one's place within society. Even by the eighteenth century, it remained mutable, with the material culture of dress acting as a changeable continuation to skin.[61] Evolving ideas about the importance of place of origin, related to perceptions of skin colour, intersected with ideas about class, the socio-economic status of who was poor and who was rich. It is unsurprising that sumptuary legislation policing what people could wear proliferated in the early modern period as new global imperial societies defined by inequalities were emerging.[62]

In the late medieval and early modern periods, the Iberian Peninsula was home to many Black people, some of whom were free and some of whom were enslaved. Many Black people in the Iberian Peninsula had arrived as people enslaved by the Portuguese. In the early modern Iberian world, slavery was not a fixed or hereditary condition and many Black people lived freely and raised families in Spain. Many Black people in the Iberian Peninsula were economically poor as they had arrived as enslaved peoples, without the economic resources and social networks they had had in the African kingdoms from which they had been taken and found limited employment options in their new home. The cultural capital of education and linguistic knowledge could help create economic capital, improving one's social status in society. For example, the Black Renaissance poet Juan Latino (*c.*1517–*c.*1594) used his knowledge of Latin to improve his social status within the Iberian world.[63]

From the early sixteenth century, Black people also started arriving in the Americas. The majority of Black people arriving in the Americas in the long sixteenth century were enslaved. It is thought that the first enslaved Black people arrived in the Caribbean as early as 1501. A number of private licences were issued permitting people to transport enslaved Black people to the Americas. In 1528 the Crown agreed an *asiento* (contract) with two German miners, Enrique Ehinger y Jerónimo Sayler, permitting them to transport 4,000 slaves to the Americas over four years, along with fifty Germans, to work in the mines.[64] When Las Casas called for a moratorium on the use of Indigenous American labour in 1516 (described in his *Memorial de remedios para las Indias*), he proposed that the

[60] María Elena Martínez, *Genealogical Fictions: Limpieza de Sangre, Religion, and Gender in Colonial Mexico* (Stanford: Stanford University Press, 2008).

[61] Rebecca Earle, '"Two Pairs of Pink Satin Shoes!!": Race, Clothing and Identity in the Americas (17th–19th Centuries)', *History Workshop Journal*, 10: 52 (2201), 175–95.

[62] See Riello and Rublack, *The Right to Dress*.

[63] Elizabeth R. Wright, *The Epic of Juan Latino: Dilemmas of Race and Religion in Renaissance Spain* (Toronto: University of Toronto Press, 2016).

[64] AGI, Indiferente, 421, L.12, F. 296r–297r.

colonial labour shortage could be met instead with Black slaves. While Las Casas later regretted his proposal, the use of enslaved Black labour had already become systematised in the Americas. The need for labour competed with the concern that Spain's colonisation of the New World should be a process of Christianisation. In 1517, when the Crown issued a licence for six Black slaves to the isle of Fernandina, it was specified that these be Christian.[65] In 1589, when colonial officials petitioned the Crown for slaves, they sometimes specifically requested that only Black slaves be sent.[66] In 1595 the Portuguese were granted a monopoly contract (*asiento de negros*) to transport enslaved Africans to the Americas. According to the slave voyages' database, it is estimated that 6,363 Africans were taken to the Spanish Empire between 1501 and 1525.[67] This number rose to 23,375 in the 1526–50 period. Many arrived into the ports of Cartagena in Colombia and in Veracruz in Mexico, which subsequently had large Black populations.

Colonialism rapidly transformed the demographic make-up of the Americas. The slave trade led to the forced migration of millions of Africans to the Americas. Black people created communities in both urban and rural areas. By the end of the sixteenth century, there were more people of African descent than Spanish in Mexico City.[68] Descendants of interracial partnerships were often classed as '*mulattos*' (fem. *mulattas*). Colonial authorities tried to distinguish between these different groups, but well-ordered colonial taxonomy was always more aspirational than a reflection of reality.

While most Black people arriving in the Americas in the sixteenth century were enslaved, some were free servants, and there were even free Black auxiliary soldiers who participated in the military conquest.[69] Black Africans who had spent more than a year in Spain before arriving in the Americas (sometimes referred to as *negros ladinos*) were distinguished from those brought straight from Africa (sometimes referred to as *bozales*), who were seen as culturally inferior. Slavery was not the fixed, inheritable, racialised institution it would later become. In labour-intensive sites of colonial resource extraction, such as the silver mines of Potosi, different types of forced labour and groups of peoples could be found labouring side by side. In urban centres such as Mexico City and Lima, the population of free Black people grew throughout the sixteenth century. Herman Bennett has pertinently noted that in light of this one must question why slavery is the defining lens through which scholars examine the experiences and lives of free Black people.[70]

[65] AGI, Indiferente, 419, L.7, F. 727v(2). [66] AGI, Panama, 14, R.5, N.27.

[67] 'Trans-Atlantic Slave Trade Estimates', *Slave Voyages Database*, https://www.slavevoyages.org/assessment/estimates (accessed 23 February 2024).

[68] Herman L. Bennett, *Colonial Blackness: A History of Afro-Mexico* (Bloomington, IN: Indiana University Press, 2009), 4–5.

[69] Matthew Restall, 'Black Conquistadors: Armed Africans in Early Spanish America', *The Americas*, 47: 2 (2000), 171–205.

[70] Bennett, *Colonial Blackness*, 5–6.

In the Christian moral-political intellectual tradition, poverty and the human condition are closely linked. In the story of the incarnation, when God became man (Jesus Christ), God was not any man but a poor man. Poverty and the human condition had a spiritual-moral link. While there was no fixed racialised institution of Black slavery in the Americas, there were attempts to dehumanise enslaved Black people. Enslaved Africans were often treated and described more like animals than humans. While enslaved people were made poor economically by the process of enslavement, they were not described as poor by people involved in the slave market. Instead, there were notable rhetorical distinctions made between poor people and enslaved people. For example, a royal decree issued to a judge of the island of Hispaniola in 1543 denounced people taking advantage of the market of enslaved people so that the best were bought by the rich and the poor were left with the weakest.[71] Spanish descendants also made claims for not paying the right fees for owning slaves based on claims of poverty,[72] further illustrating the conceptual distinction between poverty and slavery in the Spanish Empire. People denouncing the condition of slavery, such as the Spanish Jesuit priest Alonso de Sandoval in his 1627 *De Instauranda Aethiopum Salute*,[73] were likely to describe enslaved peoples as poor as part of their efforts to fight their dehumanisation, since poverty was ultimately a human condition.

As with Indigenous people, moral and religious beliefs about poverty were used to codify the provision of Black labour within colonial society. This is demonstrated in the story of San Benito de Palermo, a Sicilian born Afro-descendant Black slave who was granted freedom in recognition of his religious piety but then voluntarily subjugated himself to the Franciscan oath of voluntary poverty. San Benito became the figurehead of many Black confraternities across the Americas. The Spanish playwright Lope de Vega wrote a comedy about him, *El Santo Negro: Rosambuco de la ciudad de Palermo*, to celebrate his life when his relics were brought to tour Spain at the start of the seventeenth century. The figure of San Benito provided a way to sacralise Blackness within the broader moral economy, showing that Black people could gain status in society through humility and the acceptance and valorisation of servitude.[74] Similarly, Martín de Porres Velázquez (1579–1639), born in Lima of African and Indigenous American heritage, laboured as a poor barber and became a lay brother of the Dominican Order. He received attention for his piety and charitable work for the poor. His reputation continued to grow after his death, and statues of him can be found

[71] AGI, Santo Domingo, 868, L.2, F. 198r–198v.

[72] For example see AGI, Indiferente, 424, L.22, F, 519v.

[73] See Alonso de Sandoval, *Treatise on Slavery: Selections from De Instauranda Aethiopum Salute*, ed. Nicole von Germeten (Indianapolis, IN: Hackett Publishing Company, Inc., 2008).

[74] See Figure 7, statue of San Benito in the Chapel of the Cerrito, next to the Basilica of Our Lady of Guadalupe in Mexico City. See also Nicole von Germeten, *Black Blood Brothers: Confraternities and Social Mobility for Afro-Mexicans* (Gainesville, FL: University Press of Florida, 2006), 21–2.

Figure 7 Statue of San Benito, Chapel of the Cerrito, next to the Basilica of Our Lady of Guadalupe, Mexico D.F., author's photo

across Spain and the Americas.[75] He is often represented as carrying a bucket and brush, indicating his commitment to the labouring poor, barefoot but dressed in a golden garment and carrying a cross indicating his spiritual wealth.[76] He was recognised by the papacy in the eighteenth century, beatified in 1837, and finally canonised in 1926, becoming the saint of mixed-race people and barbers, among other things. The representations of San Benito and Martín de Porres both indicate the accepted place for Afro-descendants in colonial society as pious, hard-working, and poor.

Black people in the colonial Americas, both free and unfree, also saw themselves associated with religious poverty, sanctified for accepting servitude and labour, and they also found themselves policed as vagabonds and vagrants. As discussed in earlier chapters, people's place in society was increasingly determined not only by their religious beliefs but also by their moral status. Consequently, moral acts of Christian religious piety could be mobilised by Black

[75] See Figure 8, statue of Martín de Porres in the Cathedral of Oaxaca.
[76] See Figure 9, statue Martín de Porras in the Chapel of Montserrat, Seville.

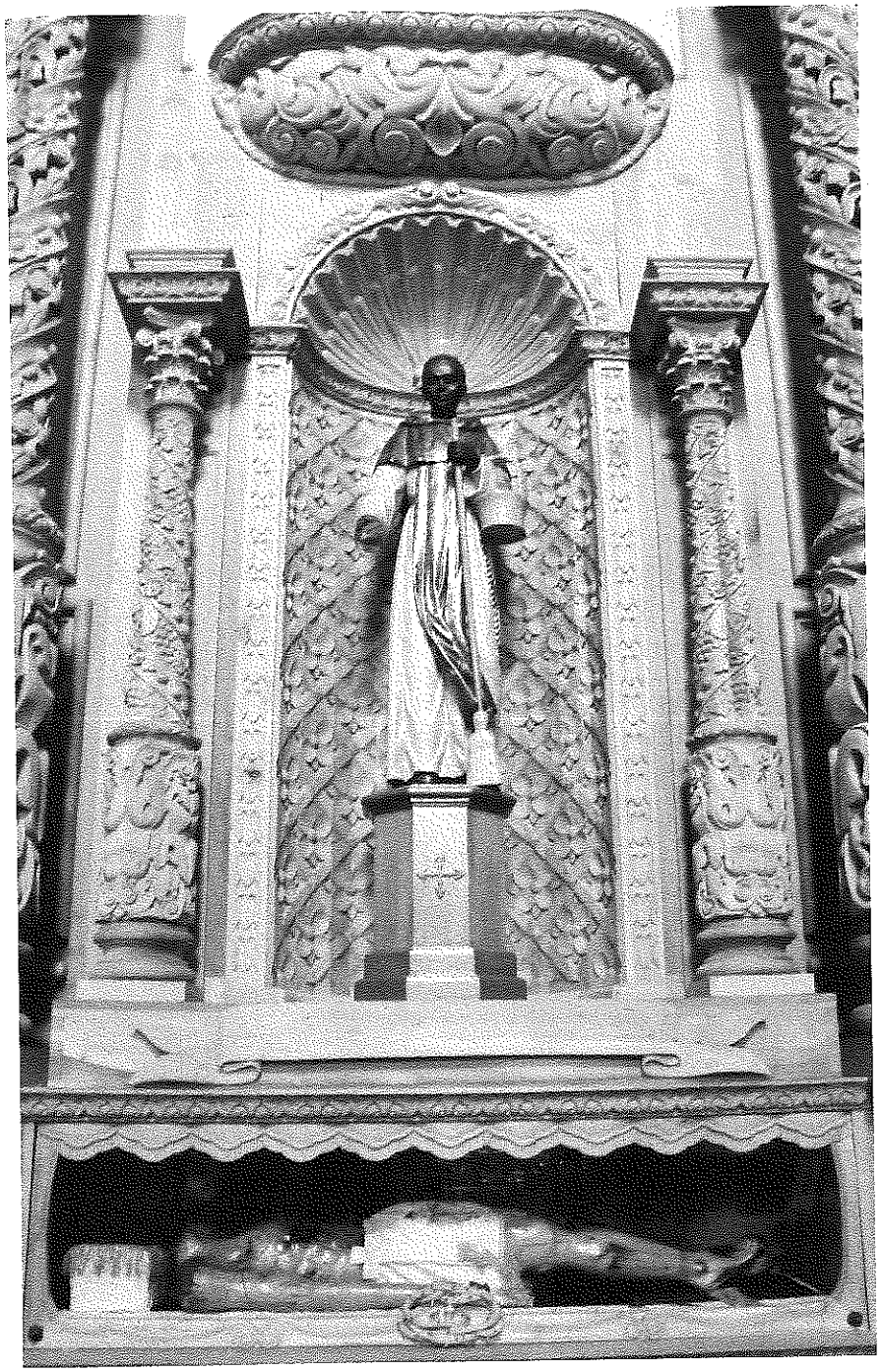

Figure 8 San Martín de Porras, "Retablo Muerto y Resucitado", Templo de Santo Domingo de Guzmán, Oaxaca, author's own photo

Figure 9 San Martín de Porras, Chapel of Montserrat, Seville, author's own photo

people to negotiate status in colonial society. Bennett has eloquently argued for the need to understand the world that Afro-Mexicans were making for themselves in the sixteenth century;[77] the negotiation of religion and the moral and political economy of poverty was part of this.

Socio-Economic Construction of Colonial Poverty

Colonial capitalism was developing as a world system in the long sixteenth century,[78] and this process created new forms of poverty around the world. Many economists and economic historians have attempted to define and measure absolute economic poverty using measures such as income or calorie intake, but poverty is seldom experienced equally. As poverty was being remade morally and materially in Europe in the long sixteenth century, new forms of poverty for the emerging colonial world order were also in the making. While all people could be vulnerable to the material processes of economic impoverishment, not all people would experience the socio-economic position of poverty equally. The emergence of colonial capitalism concerned the making of new socio-economic classes of people to be poor within colonial society. The pursuit of commodities drove the expansion of new modes of production in mines and plantations (*haciendas*), which were labour-intensive. Many Indigenous Americans, Africans, and their descendants were dispossessed of their lands, resources, and labour. Dispossessed peoples could find themselves working in mines and on *haciendas* or moving to the expanding colonial cities. While there were many naked acts of appropriation and colonial violence, there were also more subtle pathways to colonial poverty, a material process that was facilitated by colonial laws, political economic governance, and moral beliefs. The legal and socio-cultural invention of Indigenous poverty was in dialogue with an economic process of impoverishment.

The systematic impoverishment of Indigenous communities took place through a number of legal processes, often framed in relation to the moral economy of care. This nuance was necessary since the Crown recognised the property of Indigenous people on multiple occasions, a recognition that was also framed as welfare. For example, a 1532 *cédula real* declared that 'the Indians shall continue to possess their lands, both arable tracts and grazing lands, so that they do not lack what is necessary'.[79] The discursive moral economy of care, and its legal ecology, facilitated the dispossession of Indigenous land, despite the Crown ruling that Indigenous people owned their own property, the dispossession of Indigenous labour, despite the Crown ruling that Indigenous people should not

[77] Bennett, *Colonial Blackness*.
[78] Immanuel Wallerstein, *The Modern World-System*, 3 vols (London: Academic Press, 1976–89).
[79] Taylor, *Landlords and Peasants*, 67.

be enslaved, and dispossession of other resources through a variety of taxations often framed as for the common good.

The European conquest of the Americas had a devastating impact on Indigenous populations. Demographic decline was not only the result of new diseases but also the extreme impoverishment caused by excessive extraction of resources and labour in the form of tributes. Enrique Semo summarises: '[A] new kind of destitution became prevalent and gave rise to a situation in which physical disability and social privation contributed to the spread of new diseases... [E]pidemics were as much a social as a biological phenomenon, an inevitable consequence following the disruption of systems of production and the intensification of exploitation.'[80] The development of the colonial regime established new health inequalities which contributed to emerging socio-economic inequalities. For example, the practices of new mining industries, especially the use of mercury in silver mining, caused a range of long- and short-term illness for those forced to work in the mines and for their families. Guaman Poma described the devastating effects of quicksilver poisoning: '[T]hey dry up like sticks, they get asthma, and they cannot live by day or by night. They last a year or two like that, and then they die.'[81] Guaman Poma explained that many Indigenous people took flight to escape such sufferings.

The impacts of the demographic crisis of Indigenous Americans, also known as the 'Great Dying', reverberated around the world. Scholars have argued that 'the Great Dying of the Indigenous Peoples of the Americas resulted in a human-driven global impact on the Earth System in the two centuries prior to the Industrial Revolution.'[82] They evidence this in terms of land use cessation, secondary vegetation succession, and fluctuations in CO2 emissions. This development in human-driven global transformation is inscribed in the social and economic, as well as ecological, record of the transition to colonial capitalism. This was characterised by processes of pauperisation, including the loss of the means of production (the dispossession of land or other resources), increased dependence on the sale (or forced extraction) of labour for survival, and increased social alienation through forced migration or the pressurisation of historic social structures and moral economic practices.

The Great Dying affected not just those who lost their lives but also those who survived. Demographic disaster and economic impoverishment led to the breakdown of traditional social assistance strategies in the worst hit places. As Amos

[80] Enrique Semo, *The History of Capitalism in Mexico: Its origins, 1521–1763* (Austin, TX: University of Texas Press, 1993), 8. Semo noted that the labour reforms of 1542 coincided with a period of remission from epidemics.

[81] Felipe Guaman Poma de Ayala, *The First New Chronicle and Good Government* (abridged), trans. and ed. David Frye (Cambridge: Hackett, 2006), 181.

[82] Alexander Koch et al., 'Earth System Impacts of the European Arrival and Great Dying in the Americas after 1492', *Quaternary Science Reviews*, 207 (2019), 13–36.

Megged summarises: '[R]ecurring migrations and the forced transfer of entire populations resulted in a sharp rise in vagrancy and absenteeism from the local community during the 1560s and 1570s, and this in itself, apart from the pandemics, spelled the disaster for earlier traditional arrangements and basic social structures like those of the *calpultin*.'[83] This increased not only the economic but also the social dimension of Indigenous poverty. As Indigenous populations declined, fewer people were left to meet the tributary payments demanded by the Spanish Empire in cash, kind, and labour, and quotas tended to increase as populations declined. Owensby summarises that 'by the 1570s, *repartimiento* quotas had in many places risen from 1 to 2 percent to over 2 percent, and in certain cases after the 1580s, quotas reached 4 to 5 percent for ordinary work, and 8 to 10 percent for seasonal labour.'[84] The combination of population decline combined with excessive tribute extraction (in labour and kind) placed unprecedented economic pressures on Indigenous communities. Bartolomé de Las Casas denounced the colonial system, noting that, when men were enslaved, women and children were 'left to die from hunger for lack of people to work the land for maize', and that poor Indigenous families could not afford to give labour that they needed to raise their crops.[85]

There were a variety of ways that Indigenous people were subjected to types of forced labour and forced migration. As previously mentioned, the labour tribute systems were subject to abuse and often scarcely different to conditions of slavery, and there were ways in which Indigenous people could be formally enslaved (if they were captured in just war for example). Indigenous people could have their labour appropriated and be isolated from community networks in other ways. The word *naboría*, the Taíno word for commoners, came to be used in the colonial period to describe a particular type of forced labour, people who were legally free but were classed as perpetual servants.[86]

The emergence of colonial capitalism in the long sixteenth century created new forms of poverty within colonial society, for some this was experienced through the loss of ownership of their labour, but it happened in different ways through the broader socio-economic restructuring of society. While many Indigenous societies had had their own currencies prior to European invasion, colonial demands for tributes in cash rather than kind created new debts and facilitated the financialisation of poverty. In the sixteenth century, many contemporary commentators observed how the tribute system was impoverishing Indigenous communities, especially through the creation of new forms of debt.

[83] Amos Megged, *Exporting the Catholic Reformation, Local Religion In Early-Colonial Mexico* (Leiden: Brill, 1996), 76.

[84] Owensby, *Empire of Law*, 17, Owensby cited Gibson, *The Aztecs*, 232.

[85] Bartolomé de Las Casas, *Obras de D. Bartolomé de Las Casas*, vol. II (Paris, 1822), 25–6.

[86] See William L. Sherman, *Forced Native Labor in Sixteenth-Century Central America* (Lincoln and London: University of Nebraska Press, 1979), 102–11.

Often Indigenous people would return from their labour tribute without any payment and have no way to meet costs in their pueblos.[87] Additionally, Spanish settlers deducted consumables expenses from Indigenous people as they worked in mines and households, leaving them unable to pay tributes and contributing to the growing debts of Indigenous people in colonial society. As Guaman Poma explained:

> they oblige the Indians to accept cord or meat or chicha [corn beer] or cheese or bread at their own expense, and they deduct [the price] from their labour and their workdays. In this way the Indians end up very poor and deep in debt, and they have no way to pay their tribute.[88]

Guaman Poma did not see the way that the emergence of colonial capitalism was impoverishing Indigenous people straightforwardly as a political-economic process, but resulting from the immoral greed of settlers.

Many Indigenous people who had their labour appropriated were forced to work in mines, which were key sites in the development of colonial capitalism where different kinds of free and unfree labour existed side by side. Working in the mines was an impoverishing process as it prevented people from cultivating their own crops and often resulted in disability and illness. In addition to the already dangerous working conditions of the mines, many of the colonial overseers were excessively violent. Mary Elizabeth Perry suggests that colonial violence was exacerbated by the hardships and brutalities of the lives of poverty Spanish settlers had experienced before migrating to the Americas, as they used 'underworld methods' to control labour in the mines.[89]

Obrajes, variously described as workshops or early factories, were another important site were the history of the proletarianisation and pauperisation of colonial subjects took place. The *obrajes* were established by the Spanish in the Americas in the sixteenth century to produce textiles from the newly established wool production and were important to the landscape of colonial capitalism in the Americas.[90] Indigenous Americans had their own forms of textile production prior to colonialism and did not want to work in the *obrajes*, where working conditions were poor. Many 'Chinos', a term the Spanish used to describe the people in the Americas from different parts of Asia, were also made to work in *obrajes*.[91] Many Chinos arrived on the Pacific shores of the Americas as slaves, but like

[87] Guaman Poma de Ayala, *The First New Chronicle and Good Government*, 182.
[88] Ibid., 180.
[89] Mary Elizabeth Perry, *Crime and Society in Early Modern Seville* (Hannover, NH and London: University Press of New England, 1980), 115.
[90] Richard J. Salvucci, *Textiles and Capitalism in Mexico: An Economic History of the Obrajes, 1539–1840* (Princeton, NJ: Princeton University Press, 1987).
[91] Seijas, *Asian Slaves in Colonial Mexico*, 110.

enslaved Indigenous Americans had ways to negotiate their freedom.[92] As in the mines, different types of free and unfree labour co-existed, and could include people working off a debt or serving a penal sentence.

In addition to tribute payments, Indigenous populations were expected to provide for tours of governors and bishops, placing a burden on local agricultural production.[93] Alonso de Zorita wrote a description of the moral integrity and good governance of the Indigenous lords of New Spain and described how the Spanish had reduced the Indigenous rulers to tribute payers, leaving them 'abased, miserable, and poor'.[94] Zorita's description of the lords of New Spain and the terrible impacts of Spanish colonial rule were part of his broader defence of Indigenous peoples in the context of attempts to depict them as barbarians in order to justify their maltreatment, but as someone who had heard the appeals of Indigenous people and visited sites of conflict, he was well placed to understand the complex ways in which Indigenous people could be impoverished by the colonial regime. Zorita described how Indigenous people could be falsely arrested, becoming indebted and facing penal labour sentences, resulting in the loss of property and crops and the impoverishment of whole families.[95] Zorita blamed this phenomenon on the Indigenous people who had taken positions in the Spanish administrative system; he contributed to the construction of a moral-political colonial cartography, expressing fears of the evil of Indigenous people who lived among the Spanish, but described more remote foreign Indigenous people, *foresteros*, as less harmful.[96]

In addition to labour tribute of the *encomienda* and *repartimiento*, Indigenous people were also subject to other forms of colonial taxation, and these colonial taxations outlasted the decline of *encomienda* and *repartimiento*.[97] In the 1550s and 1560s the *cabecera sujeto* (head town and subject town) system was created. Head towns collected taxes from subject towns. Population data for the tax bill was often overestimated, often intentionally, resulting in increasing tax demands falling on fewer and increasingly poorer subjects, and this resulted in petitions from *sujetos* for autonomy. In this way, the political economy of the Spanish Empire created forms of economic poverty which also shaped the political landscape of the Spanish Empire from the bottom up.

[92] Ibid., 109–10.
[93] Farriss, *Maya Society under Colonial Rule: The Collective Enterprise of Survival* (Princeton: Princeton University Press, 1984), 42.
[94] Alonso de Zorita, *Relación de los señores de la Nueva España*, ed. Germán Vázquez (Madrid: Historia 16, 1992), 75.
[95] Ibid., 131–2.
[96] Ibid., 132.
[97] Many Mesoamerican codices illustrate the tribute system, what kinds of items were requested, and offer some indication of Indigenous perspectives on this. For example, see the Huexotzinco Codex. Huexotzinco, Mexico, 1521. Manuscript/Mixed Material. Retrieved from the Library of Congress, www.loc.gov/item/mss47662-2657/.

Calculating Indigenous dispossession in terms of property loss is difficult, not least due to the complex varieties of conceptions of property and land tenure regimes in the Americas prior to European invasion. For example, the Aztec *calpolli* was a hybrid of common and private property since lands were governed by a community council but could be inherited informally.[98] An archaeological study of the Matan region of Actuncan (Belize) indicates that Mayan societies from the Terminal Pre-Classic to the Terminal Classic periods had common property, but could be transgenerationally inherited by the Late and Terminal Classic periods.[99]

The impoverishing forces of colonialism often did not flatten pre-invasion socio-economic hierarchies. Many caciques were able to maintain, and in some cases increase their *cacicazgo* estate. John K. Chance has argued that engaging with the Spanish land titling system often meant more land was classed as *cacicazgo* land, erasing the more complex pre-invasion systems of land use.[100] Chance also argued that this property also enabled cacique families to integrate with and benefit from the form of mercantile economy that expanded in the Americas from the sixteenth century.[101] The continued presence of Indigenous elites and the diversification of their wealth further emphasise that the rhetorical representation of Indigenous people as universally poor was a colonial fiction.

The Spanish Crown recognised Indigenous property at the start of colonisation, according to their conceptions of what constituted property, but this did not prevent the Indigenous people's dispossession of their lands. A system of land tenure had emerged in the Iberian Peninsula in the Middle Ages whereby lands that had been captured from Muslim owners but not granted to new Christian owners were classed as Crown lands (*tierras realengas*). Similarly, in the Americas, while the Spanish Crown recognised Indigenous patterns of land tenure, land that was considered unoccupied could be granted to settlers by the Crown. Two property systems developed in the Americas, those recognised as Indigenous, called '*pueblo de indios*', and those that had been acquired by Spanish settlers. Spanish settlers could legally acquire land in the Americas through a royal grant (*merced*) that was classified as unoccupied (not owned by Indigenous people) or through purchase. In reality, the process of the Spanish colonisation of Indigenous lands often occurred at the blurred edges of the law.

Indigenous Americans were sometimes dispossessed of their lands through naked acts of appropriation, simply occupying land and banishing local populations if they stood in the way. Such acts were more common in the early days of

[98] Lisa J. LeCount, Chester P. Walker, John H. Blitz, and Ted C. Nelson eds, 'Land Tenure Systems at the Ancient Maya Site of Actuncan, Belize', *Latin American Antiquity*, 30: 2 (2019), 245–65, 247.
[99] Ibid., 247.
[100] John K. Chance, 'The Caciques of Tecali: Class and Ethnic Identity in Late Colonial Mexico', *Hispanic American Historical Review*, 76: 3 (1996), 475–502, 484–5.
[101] Ibid., 478.

Spanish colonisation, but Spanish settlers also continued to claim land illegally by squatting on land they argued was 'vacant'. Greer argues that 'natives were dispossessed as much by the settler commons as by any sort of colonial version of the Enclosure movement'.[102] This occupation still needed to be legalised, and many royal grants (*mercedes*) were retrospective recognitions of lands that had already been seized. Indigenous lands were often classed as vacant following a superficial site inspection and then deemed available to be granted to Spanish settlers. As colonialism unfolded in the Americas, Indigenous Americans were also dispossessed of their lands through a number of subtle legal processes. In some cases, the loss of their land was a consequence of the tribute systems. When tribute was demanded in cash, Indigenous Americans could be forced to sell their lands to raise funds to make payments. Further, the labour tribute systems meant that Indigenous Americans were overworked, forcing them to neglect their own lands, which they then sold, often for less than their value.[103] Additionally, Spanish immigrants came to occupy lands in the Andes that were left vacant by depopulation caused by disease and excessive extraction, and many of these lands were granted in particular to people described as 'poor farmers' (*labradores pobres*).[104] The discourse of poverty played a role in colonial land redistribution.

The Crown tried to retain territorial power in the Americas and avoid the entrenched elite privileges that emerged in the Iberian Peninsula in the wake of the *Reconquista*. As mentioned, the *encomienda* system did not grant land but labour, and tried to prevent inheritance. Land grants had been issued by municipalities in the early years of conquest by the Spanish Crown, established as a monopoly after 1535.[105] Many of the land grants had clauses that could be revoked if the Crown needed the land.[106] The Crown also tried to regulate lands acquired through purchase, and in 1536 the Crown ruled that any licence for land purchase must be before a judge of the *Audiencia*.[107] Colonial land legislation not only changed the ownership of land in the Americas but also how that land was used. Spanish colonial land grants in the Americas often came with conditions for development (for example to build watermills) and could be revoked.[108]

The Church played a role in the dispossession of Indigenous lands. When missions were established in areas of dispersed population settlement, local populations could be forced to relocate into a centralised settlement, a process known as *congregación*. During the *congregaciones*, Indigenous communities were often impoverished by being settled from fertile lands to lands without adequate

[102] Allan Greer, *Property and Dispossession: Natives, Empires and Land in Early Modern North America* (Cambridge: Cambridge University Press, 2018), 4.
[103] Owensby, *Empire of Law*, 21.
[104] Susan Elizabeth Ramírez, 'Land and Tenure in Early Colonial Peru: Individualizing the Sapci, "That Which Is Common to All"', in Elizabeth Lambourn and Carol Symes eds, *Legal Encounters on the Medieval Globe* (Kalamazoo and Bradford: Arc Humanities Press, 2017), 33–72, 47.
[105] Greer, *Property and Dispossession*, 121.
[106] Ibid., 121.
[107] See Borah, *Justice by Insurance*, 47.
[108] Greer, *Property and Dispossession*, 121.

resources.[109] Indigenous Americans still technically retained their landholdings and reverted to them when *congregaciones* broke down, but this varied by region.[110] For example, in Oaxaca, Indigenous people lost less land.[111] While Indigenous people were not legally dispossessed of their property through the *congregaciones* process, they were often prevented from returning. For example, the Laws of Burgos had instructed that their homes be burnt to prevent their return.

In 1631 the Crown issued the *composición de tierras* decree to force the titling of land. Indigenous people and Spanish settlers could legalise their landholdings for a fee if they could provide evidence. Many Spanish settlers who had squatted land illegally used this process to legalise their landholdings. Through the *composición de tierras* fees the Crown profited from the Indigenous dispossession of their lands.

The *composición de tierras* facilitated the rise of a particular kind of colonial institution, the *hacienda*. Colonial settlers amalgamated landholdings to large rural estates, used for cattle ranching (also referred to as *estancias*) or for the development of plantation-style monocrop agricultural production. As Mexican silver declined as a viable source of revenue, the number of *haciendas* increased, especially in the north of Mexico. The *haciendas* by nature were labour-hungry, and as the *encomienda* and *repartimiento* systems declined in the sixteenth century, estates had to find new ways of meeting their labour needs.[112] Many of the peasant labourers on *haciendas* were debt peons (also known as *gañánes*),[113] although it should be noted that Gibson challenged the stereotype of debt peons in the colonial era and pointed out that many labourers were seasonal workers who came from Indigenous villages.[114]

As the socio-economic fabric of the newly emerging colonial society evolved in the sixteenth century, the nature of the economic poverty of Indigenous people also changed. *Haciendas* met their increasing labour needs amid the decline of other institutions of forced Indigenous labour through the financialisation of Indigenous poverty. Spanish settlers advanced money to Indigenous communities and obliged them to repay their debt with labour.[115] This both created a form

[109] Ethelia Ruiz Medrano, *Mexico's Indigenous Communities, Their Lands and Histories, 1500–2010* (Denver, CO: University Press of Colorado, 2010), 99.
[110] Taylor, *Landlords and Peasants*, 26–7.
[111] Owensby, *Empire of Law and Indian Justice in Colonial Mexico*, 18, cf Taylor, *Landlords and Peasants*.
[112] Lockhart notes that we should not see the *haciendas* as simply growing out of the *encomienda* system, which technically in legal terms involved labour not land, and look to the particularities of the different colonial institutions. See James Lockhart, 'Encomienda and Hacienda: The Evolution of the Great Estate in the Spanish Indies', *Hispanic American Historical Review*, 49: 3 (1969), 411–29.
[113] See Andre Gunder Frank, *Mexican Agriculture 1521–1630: Transformation of the Mode of Production* (Cambridge: Cambridge University Press, 1979), 72.
[114] Charles Gibson, *The Aztecs under Spanish Rule*, cited in Lockhart, 'Encomienda and Hacienda'.
[115] Taylor, *Landlords and Peasants*, 5.

of debt bondage and accelerated the proletarianisation and pauperisation of Indigenous labour.

The introduction into the Americas of Western forms of agricultural production disrupted traditional agro-ecological practices, such as the *milpa*, and contributed to the degradation of social and ecological environments in the colonial period. As part of the so-called Columbian exchange which transformed the global environment from the sixteenth century,[116] new forms of crops and animals were introduced to the Americas. During the conquest of southern Mexico, Hernán Cortés repeatedly demanded that seeds and plants be sent from Spain so that Iberian crops could be grown in the Americas, asking that ships should be denied warrants to sail to the Americas if they do not carry these plants.[117] The impacts of these new forms of agricultural production often transcended lands owned by colonists. In areas where cattle grazing developed, there were often reports of crops being trampled on lands communally owned by Indigenous communities.[118] Many Indigenous petitions concerned the environmental impact of the importation of Spanish livestock, as well as issues related to water shortage and overwork.[119] At the end of the sixteenth century, Philip II ordered a survey of the lands of New Spain (*Relaciones geográficas*), collating information for the further exploitation of lands and resources in the Americas.[120] The ecological impacts of this development of a new agricultural system in the Americas have had a long-lasting effect on the economic structure of Indigenous poverty.

Europeans did not only introduce new crops but new practices of farming. Many, which used to develop monocrop production of newly imported crops such as sugar and wheat, or for cattle grazing. The first sugar plantations emerged in the Caribbean Islands in the early sixteenth century.[121] In 1535 the Spanish conquistador Hernán Cortés established the first sugar plantation in the mainland of the Americas. Although not on the same scale as the later Atlantic plantation economy, the expansion of plantations signified the transformation of Indigenous forms of production and the natural world of the Americas.

[116] Alfred Crosby saw this as part of the history of 'ecological imperialism', Alfred Crosby, *Ecological Imperialism: The Biological Expansion of Europe, 900–1900* (Cambridge: Cambridge University Press, 1986).
[117] Cortés, Fourth Letter, *Hernán Cortés, Letters from Mexico*, ed. Anthony Pagden (New Haven: Yale University Press, 1986), 336.
[118] For more on the environmental problems caused by overgrazing in colonial Mexico see Elinor G. K. Melville, *A Plague of Sheep: Environmental Consequences of the Conquest of Mexico* (Cambridge: Cambridge University Press, 1997).
[119] Susan Elizabeth Ramírez, 'Land and Tenure in Early Colonial Peru', 33–72, 51.
[120] *Relaciones Geográficas of Mexico and Guatemala, 1577–1585*, Nettie Lee Benson Latin American Collection, University of Texas at Austin. [WWW document]. URL https://utlibrariesbenson.omeka.net/items/show/33 (accessed 24 April 2021).
[121] Genaro Rodríguez Morel, 'The Sugar Economy of Española in the Sixteenth Century', in Stuart B, Schwartz, *Tropical Babylons: Sugar and the Making of the Atlantic World, 1450–1680* (Chapel Hill: University of North Carolina Press, 2004), 96–124.

The political economy of taxation also contributed to the transformation of Indigenous agro-ecologies. For example, taxes could be requested in cash or kind. If they were requested in cash, the community would have to find ways to monetarise parts of the local economy to meet the payments. In some cases, communities were requested to pay their taxes in wheat. In this case, Indigenous communities could shift production from corn to wheat, or they could try to buy the wheat from elsewhere to meet the payments.[122] In this way, the colonial taxation regime could also transform Indigenous agricultural practices and ecologies.

Indigenous communities found their traditional agro-ecological systems under pressure on a variety of fronts in the colonial period. Indigenous agro-ecology and the capitalistic agriculture that was beginning to emerge in Western Europe had different social goals. While agro-ecological systems like the *milpa* were often oriented towards communal subsistence, the agricultural production introduced by Europeans to the Americas was designed to maximise production in order to maximise profit, through monocropping cash crops and raising large herds. Westerners have commented on the difference between these two systems of agricultural production as part of the ideological construction of Indigenous poverty. European settlers associated Indigenous hunter-gathering and subsistence agriculture, including the swidden agro-ecology of the *milpa*, with poverty, and tried to force them into commercial agricultural production to produce agricultural surplus. Greer summarises that 'northern Indians were forced into a colonial property regime that required them to gain a living by tilling the soil while working part of the year for miners or ranchers'.[123] Further south, in the Maya region, trying to prevent Indigenous people leaving farms for remote *milpa* was part of the ongoing colonial struggle.[124] Later scientists and anthropologists argued that Indigenous agro-ecologies were destructive and had led to the collapse of Mayan civilisation, a myth that is only now starting to be overturned.[125]

The socio-economic construction of Indigenous poverty during the colonial process had gendered dimensions, but these played out differently for different groups of women. For example, in the Maya region, the status of a woman depended historically upon her relationship to the *cah* (Maya microstate),[126] and if this relationship was challenged, through forced resettlement in the countryside or migration to the city, women could find themselves needing to renegotiate their status. Testamentary evidence shows that the property of women declined in the colonial period,[127] but Restall has cautioned that the colonial period

[122] Taylor, *Landlords and Peasants*, 5.
[123] Greer, *Property and Dispossession*, 131. [124] Farriss, *Maya Society under Colonial Rule*.
[125] Annabel Ford and Ronald Nigh, *The Maya Forest Garden, Eight Millennia of Sustainable Cultivation of the Tropical Woodlands* (London and New York: Routledge, 2015).
[126] Matthew Restall, *The Maya World: Yucatec Culture and Society, 1550–1850* (Stanford University Press, 1997), 124.
[127] Ibid., 122.

probably did not represent a decline from a pre-colonial golden age of Maya gender equality.[128] In rural communities, women could also be left to shoulder the burden of household tribute despite having lost the male labour to support this. As Zorita described the injustices of the tribute system, he observed that the payments did not account for men fleeing and leaving women to shoulder the economic burden with reduced labour. However, the socio-economic status of women in the Hispanic world was complex and could be renegotiated with a range of different gendered outcomes.

While the new forms of poverty being made in the long sixteenth century were gendered, in Spain and across the Spanish Empire, women were not excluded from legal rights or property. Within the legal traditions of the Iberian Peninsula from the medieval period women had recognised legal rights, including property rights.[129] Many of these legal rights were stipulated in the thirteenth century *Siete Partidas* (civil law codes) as well as customary laws.[130] In early modern Spain, women continued to be recognised as property owners and able to litigate on behalf of their property, and widows could inherit their husbands' property and carry out economic activities that 'tended to break gender restrictions'.[131] In the Spanish Empire women, including Indigenous women, had recognised legal rights including property rights. One study of women in the Andean town of Quito in the seventeenth century shows the variety of ways women from different backgrounds used law to their advantage and created economic capital and social opportunity.[132] Kimberly Gauderman describes a world where, despite cultural distinctions between Spaniards and Indians, the material culture of elites was mixed and wealthy Indigenous women could be found wearing Chinese silks while wealthy Spaniards had textiles associated with the Inca nobility.[133]

The pressures of the colonial political economy, including land seizure or excessive taxation, forced different types of Indigenous migration. The displacement of some Indigenous people from their lands turned many Indigenous people into landless peasants. This created the conditions for the expansion of colonial capitalism in the Americas as these people became landless labourers on

[128] Ibid., 123.
[129] See Heath Dillard, 'Women in Reconquest Castile: The Fueros of Sépulveda and Cuenca', in Susan Mosher Stuard and Ruth Mazo Karras eds, *Women in Medieval Society* (Philadelphia: University of Pennsylvania Press, 1976), 71–94, and Heath Dillard, *Daughters of the Reconquest: Women in Castilian Town Society, 1100–1300* (Cambridge: Cambridge University Press, 1984).
[130] Many of the laws relating to women appear in the fourth partida; see also Robert I. Burns ed., *Las Siete Partidas*, vol. 4, *Family, Commerce, and the Sea: The Worlds of Women and Merchants* (Partidas IV and V) (Philadelphia: University of Pennsylvania Press, 2000).
[131] Mary Elizabeth Perry, *Gender and Disorder in Early Modern Seville* (Princeton: Princeton University Press, 1990), 14 and 17.
[132] Kimberly Gauderman, *Women's Lives in Colonial Quito: Gender, Law, and Economy in Spanish America* (University of Texas Press, 2003).
[133] Gauderman, *Women's Lives in Colonial Quito*, 4.

colonial estates, officially free, but dependent upon the wages and conditions set by the colonists. It should also be noted that the phenomenon of turning Indigenous people into landless peasants took place unevenly, with differing intensities and chronologies across Latin America. Some Indigenous peoples were able to retain land into the late colonial period, when *hacienda* estates were expanding, and beyond. The distribution of land was a central question of the Mexican Revolution (1910–20) and continued to define the Indigenous struggle for autonomy today, most notably by the Zapatista uprising (ongoing since 1994). The modern plight of Indigenous peasants whose families were left with too little land for subsistence farming and were consequently forced to work as exploited labourers is captured in the memoirs of the Guatemalan peasant activist Rigoberta Menchú (born 1959) in her testimonial *I, Rigoberta Menchú* (1998), which eloquently describes both the legacies of colonialism and the new poverty traps faced by land-poor peasants in the Americas today.[134]

While the colonisation of the Americas economically impoverished many Indigenous communities and individuals, the socio-economic impact was regionally varied. Regions in the south of Mexico were better able to resist than in the north, and today the southern states of Mexico continue to have the highest number of Indigenous communities. Pre-conquest socio-economic hierarchies endured, albeit at different rates in different places. The Taíno word *cacique*, or *cacica*, came to be used for Indigenous elites across the Spanish Americas, rather than the Nahuatl word *tlatoani*. In the Valley of Oaxaca, Indigenous elites managed to maintain their estates (*cacicazgos*), which were worked by *terrazguero* (tenant land labourer), while elsewhere the Indigenous nobility were in decline.[135] While some historians have argued that Indigenous communities were so impoverished by colonialism they became an undifferentiated mass of poor people,[136] the reality is more complicated, and petitions and patterns of land ownership indicate that many Indigenous elites found ways to maintain their status in colonial society. The Indigenous people who experienced enslavement and other forms of forced migration were often those worse affected, as they were severed from the socio-economic and environmental resources that facilitated communal resistance to impoverishing tendencies of colonial rule. Indigenous people were not passive victims of colonial processes, and nor were they universally impoverished. As the next section will explore, Indigenous people mobilised a wide range of socio-environmental, institutional, constitutional, and legal resources to resist the impoverishment of colonial society.

[134] Rigoberta Menchú, *I, Rigoberta Menchú* (London: Verso, 2010).
[135] Taylor, *Landlords and Peasants*, 35.
[136] This historiographic tradition has been critiqued by Restall; see Restall, *The Maya World*, 87.

Indigenous and Black Resistance

Indigenous communities and individuals responded in different ways to the economically impoverishing effects of colonialism, resulting in regionally and demographically varied outcomes that shaped the contours of colonial society. These responses included military resistance (resulting in ongoing colonial warfare such as the Chichimeca War 1550–90) and revolts (such as the Tzotzil uprisings of 1528 and 1712), migration, the formation of socio-economic brotherhoods (confraternities), the defence of communal property institutions, and the strategic use of law, especially in petitions.

Migration was one possible response to excessive tribute extraction, violence, and land loss. The possibilities to use mobility as a resource varied across regions and had different outcomes. While forced migration could create new forms of socio-economic poverty for Indigenous people in colonial society, voluntary migration (often described by anthropologists as 'flight') is a common response to excessive extraction and 'remote' territories of mountains and jungles could offer spaces of refuge which facilitated resistance.[137] In the Maya region of Mesoamerica, tropical forest zones facilitated Indigenous resistance through the possibilities of agro-ecological production of necessities beyond the colonial regime and maintaining social bonds.[138] In the Chocó region of Colombia, Indigenous people used uninhabited lands and river systems as well as using law and manipulating rivalries to resist the pressures of colonialism.[139] This strategy of flight was also used by Black Africans and Afro-descendants, who formed maroon communities in places such as Panama from the sixteenth century,[140] and communities known as *palenques* in Colombia from the early seventeenth century. *Encomenderos* were left petitioning the Crown for extensions to pay the taxes for the absent Indigenous people who had fled.[141]

Indigenous people also migrated to urban centres, with mixed outcomes. The populations of the viceregal capitals of Mexico City and Lima, as well as important trade towns such as Oaxaca and Veracruz, and other regional centres, such as Bogotá which was established as the capital of the New Kingdom of Granada in 1538, swelled in the sixteenth century. As these urban centres evolved during the course of colonialism, Indigenous Americans, Africans and Afro-descendants, Europeans, Asians, and mestizos, of varying socio-economic status, lived

[137] James C. Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia* (New Haven and London: Yale University Press, 2009).
[138] This is the thesis of Nancy Farriss in *Maya Society under Colonial Rule*.
[139] Caroline Williams, *Between Resistance and Adaptation: Indigenous Peoples and the Colonisation of the Chocó, 1510–1753* (Liverpool: Liverpool University Press, 2004).
[140] See Robert C. Schwaller, *African Maroons in Sixteenth-Century Panama: A History in Documents* (Norman: University of Oklahoma Press, 2021).
[141] For example, 1697, Colombia: AGNC, Caciques Indios, 32, D. 21.

alongside each other, vying for resources. Old urban Indigenous elites, such as the heirs of Moctezuma in Tenochtilan, and urban elites of other former *altepetl*, tried to maintain their status and petitioned the Crown for recognition and resources. While the fortunes of Indigenous people in cities varied, testamentary evidence indicates that Indigenous people in Mexico City got steadily poorer, having fewer moveable goods to bequeath.[142] While urban economic poverty existed across colonial cities, urban environments also offered opportunities to negotiate status and resources.[143]

Across urban and rural communities, confraternities became a central resource for people across the socio-economic and proto-racial spectrum of colonial society. Estimates of the number of confraternities that emerged in the Americas vary. Serge Gruzinsky suggests that by 1585 there were 300 Indigenous American confraternities in Mexico City alone.[144] These confraternities helped people in urban and rural communities to form and consolidate social bonds and economic resources, offering an opportunity for pooling capital and fostering solidarity. For Afro-Mexican communities, confraternities helped people to create civic status as well as create mechanisms for social assistance. These intuitions offered mechanisms to avoid taxation, as private individuals could make charitable donations. They would receive returns in the form of community membership, and risk management. The confraternities acted as kinds of insurance schemes. Confraternities played an important role in helping communities maintain common property and pool capital. W. B. Taylor has argued that, when these were dissolved following independence, Indigenous communities experienced another wave of conquest.[145]

Indigenous communities found ways to protect the communal property traditions that had preceded colonialism, a struggle that is ongoing in Mexico today. The Spanish Crown had a tradition of recognising common property, especially in the form of communal grazing, in the Iberian Peninsula, and this custom was extended to the Americas. In 1573 the Crown ordered that all Indigenous pueblos should have a square league of common land for pasturing cattle.[146] Indigenous maintenance of communal goods served a double purpose as it also helped the Crown to defray the costs of welfare provision. In the Maya region, the Spanish Empire mandated that communities maintain a community granary (*pósito de granos*) and a community treasury (*caja de comunidad*) which served the *cah*, but also the Spanish Empire, as insurance against scarcity.[147] Indigenous communities could also use colonial processes to strengthen or reinvent common resources. During the *composición de tierras* process in the seventeenth and eighteenth centuries, Indigenous communities lost many common lands.[148] The legal process for claiming legal title of land was laborious and expensive, and Indigenous people sometimes pooled resources to establish common property for their communities.[149] Even where Indigenous claims to land were successful, the process transformed Indigenous property regimes, as prior to colonialism Indigenous people had usufruct of common *calpolli* lands. Yanna Yannakakis explains that 'prior to the eighteenth century, most Native communities possessed land rather than owning it', and this also made the process of claiming land title difficult.[150]

The struggle for resources did not only concern land. Indigenous people could also petition for resources to develop infrastructure that would benefit the community. For example, in 1646 the *indios* of Cáota (modern day Colombia) wanted to build a mill for the benefit of their community.[151] Other petitions concern issues such as access to water, an ongoing problem for Indigenous communities today.

Indigenous groups quickly became aware of the strategic value of the discourse of poverty. Like the settlers from Iberian Peninsula, they too could use the language of poverty as they bargained for certain resources. The discursive and institutional structures of poverty did not only provide a framework for governing empire but also a framework that could be negotiated by groups, Indigenous and non-Indigenous, to be excused from certain crimes and to access resources.

Indigenous people mobilised the language of the moral economy of poverty to petition the Crown for certain resources and protections. These petitions were known as '*amparo*' petitions, since they were done in the name of the protection status of the Crown. Many of these used the language of *pobres indios*. The petition system enabled Indigenous people to access resources and to try to resist colonial abuses. Owensby observed that 'these petitions were nothing if not legal morality tales', as people described themselves as poor and unprotected and denounced greed and avarice (of colonial settlers and other Indigenous people).[152] Following his extensive study of Indigenous petitions in the Maya region, Restall observes that the claim of excessive poverty is 'a common feature of Indigenous address to the authorities in New Spain', especially in petitions against the

[142] See Susan Kellogg, *Law and the Transformation of Aztec Culture, 1500–1700* (Norman: University of Oklahoma Press, 1995), 149–50.

[143] For an insight into the complexities of colonial Mexico City see John F. Lopez, *A Companion to Viceregal Mexico City, 1519–1821* (Leiden: Brill, 2022); for Indigenous agency in the urban centres of the Andes see Johanne Rappaport and Tom Cummins, *Beyond the Lettered City, Indigenous Literacies in the Andes* (Durham, NC and London: Duke University Press, 2012). See also Nicole von Germeten, *Black Blood Brothers*.

[144] Gruzinsky, 9, in Susan Verdi Webster, 'Research on Confraternities in the Colonial Americas', *Confraternities*, 9: 1 (1998), 13–24, 15. Other estimates are more conservative.

[145] Taylor, *Landlords and Peasants*. [146] Medrano, *Mexico's Indigenous Communities*, 92.

[147] Restall, *The Maya World*, 52.

[148] Yanna Yannakakis, *Since Time Immemorial: Native Custom and Law in Colonial Mexico* (Durham, NC: Duke University Press, 2023), 140.

[149] Ibid., 144. [150] Ibid., 141. [151] AGNC, Caciques Indios, 32, D. 67.

[152] Owensby, *Empire of Law*, 59 and 88.

colonial alienation of communal land.[153] Indigenous use of the language of the moral economy of poverty in the petitions meant that Indigenous people also participated in this colonial invention of poverty in ways that were useful for their survival and resistance strategies within the colonial context. Indigenous petitions made appeals for protection and justice,[154] appealing directly to the known moral obligations that underpinned the Crown's sovereignty. These petitions invoked the moral economy of the Spanish Empire by describing the hunger of children and referring to the Crown paternalistically as their father.[155] In these petitions, Indigenous people often described themselves as poor, but warned that they could become more economically poor without support. For example, in 1651 García Pedro, an *indio*, requested an extension to pay his tribute because he was incapable of working and had six sons to sustain and warned that he would lose his home and become a vagrant without this help.[156]

In the *amparo* petitions, Indigenous people complained to the royal jurisdiction about inheritance of cacique status, land issues, resource access (such as water or forestry), environmental degradation, and problems with labour drafts and taxation.[157] In addition to civil and administrative matters, *amparo* petitions could also relate to criminal cases. Indigenous people sometimes produced codices, such as the Kingsborough Codex, as supplementary material for their legal cases against unfair taxation,[158] and maps to support their land disputes.[159]

Indigenous petitions about status showed that while there were rhetorical and legal moves to construct Indigenous people as the new poor of colonial society, there was still recognition (and colonial use) of Indigenous hierarchies. In 1556 the grandsons of Guaynacapa and sons of Don Francisco Atahualpa, lords of Peru, make a petition in Cuzco, reminding the king that their father voluntarily gave his obedience to the kings of Castile, and became Christian, and yet the Spanish conquistador Pizarro killed him, and his children were poor as a result; they asked the king for an annual stipend of 3,000 pesos, as was given to the natural son of Moctezuma, to help them maintain their status.[160] The fact that many Indigenous elites used the petition system shows that it was not necessarily simply a protection for the vulnerable but a resource that could be mobilised by the more powerful. Some of these litigants were elite women (*cacicas*) who also used

[153] Restall, *The Maya World*, 259. [154] Ibid., 257.
[155] 'Petition by the cabildo of Dzaptun, 1605' [AGN-CI, 2013, 1, 6], cited in Restall, *The Maya World*, Appendix A, 323–4, 324.
[156] AGNC, Caciques_Indios,32,D.11.
[157] For a comprehensive study of the amparo petitions see Woodrow Borah, *Justice by Insurance*, and Owensby, *Empire of Law*.
[158] Kingsborough Codex (Códice de Tepetlaoztoc), British Museum, Add. Ms. 13964.
[159] See Alex Hidalgo, *Trail of Footprints: A History of Indigenous Maps from Viceregal Mexico* (Austin, TX: University of Texas Press, 2019).
[160] AGI, Patronato, 187, R.21.

the Spanish-American legal system to negotiate resources.[161] Beyond the petitions, these codices and maps demonstrate the extent of Indigenous negotiation with Spanish legal and financial processes and their efforts create their own narratives and identities within colonial society.

Many Indigenous petitions complained about the injustice of tribute collections. One petition from the pueblo of Tepeapulco in 1575 asked the king for mercy and for relief from tribute payments, explaining that their numbers had declined and they were poor and could not pay.[162] The *Audiencia* responded to this petition of the pueblo of Tepeapulco acknowledging that the 'sterility of the times' had led to a decline in the number of Indigenous people in Tepeapulco, which previously had been populous, and the poverty that had reduced those remaining to beggars.[163] The *Audiencia* did not indicate that the debt would be paid but rather that the population number and subsequent tax burden should be updated to reflect the demographic change. Other rulings of the colonial administration in response to poverty claims were less ambivalent. In 1594 the Council of the Indies ordered that Diego Ruiz Osorio, a colonial official, pay Anton, described as an '*indio natural*' of the mainland, 50 *reales* on account of his necessity and poverty.[164] Petitions for tribute exemption could also be made on behalf of certain groups of Indigenous people; for example, in 1570 Juan de Arguijo, defender of the Indians in the Valley of Guatemala, denounced the local tribute collector, and requested that widows and the poor be exempt from paying tribute.[165]

The extent to which the *amparo* petition system was able to mitigate the impacts of empire have been debated. They have been criticised for offering 'limited legal effect' since the outcome of *amparo* petitions was administrative rather than judicial,[166] as a process limited by its 'inherent contradictions'.[167] Further, petitioning was costly. While the Spanish Crown had created the General Indian Court of New Spain and ruled that Indigenous people should not pay directly to bring lawsuits, they still paid for this legal aid in the end as the Crown levied a tax in 1592 (confirmed in 1595), the half-real, to meet these costs; according to the norms of the moral economy, special groups like widows paid half.[168] Despite these limitations, it has been argued that through the petition system Indigenous people were able to influence imperial legislation.[169]

[161] For a discussion of this see Lilian Pérez Miguel and Renzo Honores, 'Cacicas Land, and Lititgation in Seventeenth-Century Chincha, Peru', in Margarita R. Ochoa and Sara Vicuña Guengerich eds, *Cacicas: The Indigenous Women Leaders of Spanish America, 1492–1825* (Norman: University of Oklahoma Press, 2021), 189–214.
[162] AGI, Mexico, 1090, L.9, F. 59r–59v. [163] AGI, Mexico, 1090, L.8, F. 172r.
[164] AGI, Indiferente, 426, L.28, F. 192v. [165] AGI, Justicia,292, no 3, r.4.
[166] Owensby, *Empire of Law and Indian Justice*, 52.
[167] Ana Pulido Rull, *Mapping Indigenous Land: Native Land Grants in Colonial New Spain* (Norman: University of Oklahoma Press, 2021), 17.
[168] Borah, *Justice by Insurance*, 104–5.
[169] Adrian Masters, 'A Thousand Invisible Architects: Vassals, the Petition and Response System, and the Creation of Spanish Imperial Caste Legislation', *Hispanic American Historical Review*, 98: 3

This colonial coding of Indigenous people as poor still permeates ideologies of global governance. In Mexico today the racialisation of poverty has been recognised as a tool of neoliberal state formation and a mechanism for governing Indigenous populations through neoliberal anti-poverty programmes.[170] The association of indigeneity with poverty also permeates the ideology of international development and informs its pattern of global governance. By deepening the chronological analysis, we see that the construction of Indigenous people as poor as part of a global political project has its origins at the start of colonialism in the sixteenth century.

Empire of Poverty: The Moral-Political Economy of the Spanish Empire. Julia McClure, Oxford University Press.
© Julia McClure 2024. DOI: 10.1093/9780198933908.003.0006

(2018), 376–406 and Alcira Dueñas, *Indians and Mestizos in the 'Lettered City': Reshaping Justice, Social Hierarchy, and Political Culture in Colonial Peru* (Boulder, CO: University Press of Colorado, 2010).

[170] Mariana Mora, 'Ayotzinapa and the Criminalization of Racialised Poverty in La Montaña, Guerrero, Mexico', *Political and Legal Anthropology Review*, 40: 1 (2017).

6

The Moral-Political Economy of the Spanish Empire in Practice

During the sixteenth century, a new moral-political economy emerged across the Spanish Empire that was informed both by the moral-political economic concepts and practices that had developed during the Middle Ages in Europe and the Americas, and by the demands of the newly emerging imperial context. The sovereignty of the Spanish Crown in the Iberian Peninsula, and its attempts to assert sovereignty in the New World, continued to rest upon principles of justice that included protection and provision for the poor and weak. Such principles of justice were hardwired into the constitutional make-up of the Iberian Peninsula, and any extraction through taxation had to be justified with provisions of protection, justice, and welfare in return. This concept of justice and constitutional arrangement continued to be important as the Crown extended its sovereign claims beyond the Iberian Peninsula. This political context informed aspects of the development of moral economy across the Spanish Empire.

Shake-ups in the institutional landscape, including Crown competition with religious institutions and the diversification of charitable institutions, helped increase secular involvement in charitable institutions such as hospitals. Spiritual, moral, and political economies met at the sites of charitable institutions. The proliferation of confraternities increased participation in these institutions at the local level. The moral-political economy was not simply a top-down process, designed by moral theologians and enacted by elites, but also a bottom-up process, shaped by the engagement of people in the legal channels of petitioning the Crown and the grassroots institutions of confraternities.

Paternalism was part of the Iberian conception of sovereignty, and this discourse of care was part of the moral-political economy of the Spanish Empire. This paternalism helped blur the boundary between the moral and the economic. For example, welfare was not only directed at economic well-being but was also moral protection. The paternalistic framework contributed to the gendered nature of the moral-political economy of the Spanish Empire, as well as the way in which colonialism helped create gender norms in imperial society.

The moral-political economy, centred on care and protection of the weak and poor, was part of the fabric of the Spanish Empire. As such, the Crown had a diverse welfare strategy that included provisions for hospitals, pensions, especially to widows, and other ad hoc charitable payments. It responded to petitions

for assistance from people claiming poverty and injustice across the Spanish Empire. This petition system established the political fiction of a direct relationship between the Crown and its subjects that helped construct the notion of the Crown as the absolute ruler and ultimate provider and protector, even if this was far from reality across the Spanish imperial state.

The provision of welfare was central to the political project of the Spanish imperial state. This was usually not directly financed by the Spanish Crown, which instead tended to use its status and political authority to outsource its financial obligations to provide welfare, perhaps in return for other forms of status and privilege. The Crown's provision of welfare was more a political performance than economic commitment.

Sovereign Provision of Welfare

On the site where Hernán Cortés first met Moctezuma, a hospital was built, the *Hospital de la Purísima Concepción y Jesús Nazareno*. Its doors opened in 1524. Josefina Muriel argues that Cortés gave to the poor as thanks for his victory and to free himself from the weight of his sins.[1] The sins of colonialism were mirrored by the colonists' attempts at moral restitution. This symbolic act helped lay the foundations for the welfare imperialism that came to characterise the moral-political economy of the Spanish Empire. The building of hospitals on newly conquered territories followed a strategy adopted by Catholic monarchs during the so-called 'Reconquista'. After King Ferdinand III of Castile defeated the Muslim city of Seville in 1248, he built the hospital of Saint Lazarus for plague victims, and a royal hospital was built in Granada following its capture from Muslims in 1492.[2] These hospitals were symbols of just power, combining the languages of governance and paternalistic protection. Hospitals became central to the imperial institutional landscape.

As we saw in Chapter 4, there were struggles in the sixteenth century between Church and state regarding the proper jurisdiction of hospitals. Royal hospitals helped reinforce the Crown's image as a just ruler. Whether founded by secular or religious authorities, the realms of the secular and religious overlapped in hospitals, which were usually sites of religious and moral instruction as well as economic provision, addressing body and soul together. Religious missionaries often undertook the role of establishing and managing hospitals for the newly

[1] Josefina Muriel, *Hospitales de la Nueva España*, vol. I., *fundaciones del siglo XVI* (Mexico DF: Universidad Nacional Autónoma de México, Cruz Roja Mexicana, 1990), 38. This was not the first hospital in the Americas; instructions given to Diego Colombus in 1509 also mention a hospital, see Muriel, *Hospitales de la Nueva España*, 34.

[2] The building of the royal hospital of Granada was interrupted by the death of Ferdinand, but continued by Charles V.

colonised people of the Spanish Empire, but they often sought help from the Crown for their finances. For example, in 1597 a Franciscan charged with running a hospital for *pobres y naturales* (the poor and natives) wrote a petition to the Crown requesting that the cattle ranch that supplied the hospital be exempted from tithes, as well as petitioning that the city council not build a street that would lead to the demolition of the hospital.[3]

Hospitals had emerged in the Middle Ages to serve rich and poor alike, but increasingly in early modern Spain and the Americas there were specific hospitals for particular status groups. Consequently, the institutional sites of hospitals could help reinforce distinctions of social status. Different groups, usually through confraternities, could also pool resources to found hospitals for their particular communities. Just as confraternities helped create corporate identities in the Spanish Empire,[4] so hospitals designated for specific groups could reinforce social differentiations.

The Crown helped ensure that the hospitals, the institutional sites of moral-political economic governance, were extended to the New World. Early in the conquest, the Crown ordered viceroys and governors to establish hospitals.[5] The Crown was particularly keen to establish hospitals for the newly colonised Indigenous population, and these institutions were intended as much to govern as to care. Indigenous Americans themselves were expected to contribute to the cost of these welfare institutions and they were subject to a particular tax, the *tomín de hospital*, to fund the construction of Indigenous hospitals. Gabriela Ramos argues: '[T]hus in the New World changes were introduced which in Spain at the time would have been impractical or even inconceivable: that alms would come mainly out of the pockets of the poor.'[6] Thus the Indigenous people were taxed in order to pay for welfare institutions which were also sites of colonial governance. The revenue moving through these colonial institutions attracted corruption as those charged with administering the hospitals often used them to supplement private wealth.[7] Indigenous people were not unaware that welfare institutions could be sites of corruption and control and they also tried to resist the construction of new hospitals and the payment of the *tomín* tax.

The provision of welfare was important to sovereignty and the stability of the political community before the development of the welfare state. The Crown provided welfare in a variety of ways. One of these we have met before, the *merced*. The *merced* was the reward that could be given for military service, but was also

[3] AGI, Filipinas, 79, N.30.

[4] Cristina Cruz González, 'Visualising Corporate Piety: The Art of Religious Brotherhoods', in John F. Lopez ed., *A Companion to Viceregal Mexico City, 1519–1821* (Leiden: Brill, 2022), 181–212.

[5] *Recopilación de leyes de los reinos de las Indias* [Compilation of the Laws of the Kingdoms of the Indies], 4 vols (Madrid: Cultura Hispánica, 1973), vol. 1: Título Cuarto, Ley Primera, cited in Gabriela Ramos, 'Indian Hospitals and Government in the Colonial Andes', *Medical History*, 57: 2 (2013), 186–205, 190.

[6] Ibid., 193. [7] Ibid., 202.

given to lawyers and clergy and was a way the Crown bought loyalty. These rewards, which were issued according to the recipient's status in society, were seen as a matter of justice. As Aurelio Espinosa summarised, 'medieval Spanish kings believed that, by granting *mercedes*, they fulfilled their obligations as the fount of justice'.[8] As the Crown was seen as the ultimate protector and provider of justice, subjects were able to write petitions on a range of issues. In response to *gracia* petitions (a type of legal document that could lead to enduring change), the Crown issued privileges, which as Adrian Masters summarises, 'included grants of Indian tribute, pensions, preeminences, pardons, crown offices, and other royal prerogatives'.[9] In these petitions, people could claim poverty according to their relative status and could be granted resources. The Crown also managed the payment of alms (*limosnas*) on an ad hoc basis, often in response to petitions. In addition to payments to individuals the Crown funded welfare institutions, namely royal hospitals, but there were numerous attempts to make these institutions self-funding rather than draining the public purse.

The Crown used some of its imperial revenues to fund its welfare obligations. The Crown funded pensions for men who had given military service to the Spanish Empire, their widows, and other Crown dependants. Murdo J. Macleod reports that, by the end of the sixteenth century, much of the tributary revenue from the Americas went to fund 'a pension system with many of the awards going to the widows and other dependants of poverty-stricken *benemeritos*, or to court retainers in Madrid who seldom if ever saw the Indies, far less the Indians "entrusted" to them'.[10]

Pensions are a common form of welfare payment. Throughout the pre-modern period the Crown issued pensions on an ad hoc basis to military officers and other types of elites. Widows or heirs could benefit from these pensions, which were important to upholding relative status in society. The mariner Juan Sebastián Elcano, who had led the circumnavigation of the world after the death of Ferdinand Magellan, was granted a pension by the Crown of 500 gold ducats a year, and his heirs launched a court case after his death for access to this pension.[11] The relatives of Indigenous American elites could also write to the Crown regarding pensions according to their status. For example, in 1569 Don Pedro de Moctezuma, the son of the former Aztec Emperor, wrote to the Crown regarding

[8] See Aurelio Espinosa, '*Merced*', *The Oxford Encyclopedia of Economic History*, ed. Joel Mokyr (New York: Oxford University Press, 2003, online edition 2005), 485–6.

[9] Adrian Masters, 'A Thousand Invisible Architects: Vassals, the Petition and Response System, and the Creation of Spanish Imperial Caste Legislation', *Hispanic American Historical Review*, 98: 3 (2018), 377–406, 382.

[10] Murdo J. Macleod, 'Aspects of the Internal Economy of Colonial Spanish America: Labour; Taxation; Distribution and Exchange', in Leslie Bethell ed., *The Cambridge History of Latin America* (Cambridge: Cambridge University Press, 1984), 219–64, 223.

[11] AGI, Patronato, 38, R.1.

an annual pension of 3,000 pesos.[12] Imperial funds could be used to make pension-style payments to elites and those with particular status, for example prominent members of religious orders, on both sides of the Atlantic. Not all the costs of those in need of pensions were met directly by the Crown; instead imperial institutions, such as the Council of the Indies, could order private individuals to make pensions to orphans and widows to whom they were related. For example, in 1531 the Council of the Indies mandated that Francisco de Arteaga, a merchant, provide for the daughter of Juan de Ribera from the funds he received from a bond left by her deceased father.[13] Many pension payments were paid by the House of Trade (which managed the commercial enterprises of the Crown in the New World) through which the Crown was able to use imperial revenue to meet its welfare costs.[14] Pensions did not begin to become a formal state system open to a cross section of the population until the eighteenth century. In 1761 the Bourbon monarch Charles III created the *Monte Pío Militar*, a pension system for the families of military offices according to their rank and status.[15]

The Crown used imperial revenues to make ad hoc charitable payments (*limosnas*). For example, in 1531 the Crown issued a royal decree to the officers of the House of Trade and other justices of the kingdoms to pay Fray Francisco de Arévalo (Order of the Holy Trinity) an annual payment of 25,000 maravedís to cover his debts and support his mother.[16] Again, the Crown did not always simply grant alms directly but approved licences for people to go to the Americas and beg there for funds for their religious and charitable institutions.[17] The Crown did not only grant alms' payments of cash to individuals and charitable institutions but certain other goods of empire. For example, it issued royal decrees to the House of Trade to give *palo santo de guayacán*, a type of wood from the Americas with medicinal properties, to certain hospitals, for example in 1531 to the plague hospital in Seville.[18]

Many pleas for welfare resources came from the most distant (from Spain) corners of the newly emerging Spanish Empire in the sixteenth century. Before the Crown created the Viceroyalty of Peru (1542), it divided the continent of South America into a series of governorates. The most southerly of these was the Governorate of Nuevo León, which was first ruled by Simón de Alcazaba y Sotomayor. It stretched from the southern frontier of New Andalusia, which incorporated the sites of today's capital cities Santiago and Buenos Aires, to the

[12] AGI, Patronato, 245, R.4.

[13] AGI, Indiferente, 422, L.15, F.11r–11v.

[14] See Julia McClure 'The Charitable Bonds of the Spanish Empire: *The Casa de Contratación* as an Institution of Charity', *New Global Studies*, 12: 2 (2018), 157–74.

[15] See *Reglamento de la fundación, y establecimiento del Monte de Piedad, que se instituye para socorro de las Viudas de Oficiales Militares* (Madrid: Imprenta D. Gabriel Ramirez, 1761).

[16] AGI, Indiferente, 1961, L.2, F. 99.

[17] For example, AGI, Indiferente, 745, n.64. See McClure 'The Charitable Bonds of the Spanish Empire', 166–7. For example, see also AGI, Mexico, 1088, l.1, f. 128v–129r.

[18] AGI, Indiferente, 1961, L.2, F. 88r–88v.

southern tip of the Magellan Straits. In 1534, the year the Governorate of Nuevo León was founded, the Crown issued a provision to found a hospital for the poor, and granted them the rights to certain leftovers from any mining processes in the lands.[19] This instruction also warned that this revenue for the poor should not be subject to taxations (tithe or chancery) or other claims. Colonists in the Pacific islands of the Philippines also wrote letters to the Crown explaining that both the soldiers and the people of the islands were poor and in need of resources. For example, in 1585 the *Audiencia* of Manila sent a letter to the Crown requesting funds to repair the city and for food for the poor soldiers until *repartimientos* could be granted.[20] This letter also set out the need for funds for hospitals for both Spanish and Indigenous people.

The Moral Economy of Poverty and the Law

The Crown used the system of petitions, appeals, and the provision of welfare and justice to reinforce its authority and compete against the accumulation of authority and resources by local elites. In these petitions and legal cases (*pleitos*), many different people, Indigenous, Afro-Indigenous, and Spanish subjects, used the moral economic language of poverty to make petitions. When the Spanish Empire extended into the Americas, the landscape of status and the significance of place of origin became more complex. Status was no longer determined by socio-economic indicators of lordship and commoners. Through the categories of identification used in legal contexts, proto-racial signifiers, such as *negro/a, blanco/a, indio/a, mestizo/a, mullato/a*, came to matter. As subjects (and taxpayers) many different kinds of people could use the law to participate in the moral-political economy of the Spanish Empire and negotiate resources. These people used proto-racial and gendered signifiers to make petitions to the Crown, and through these petitions for justice and welfare new imperial inequalities of status were created and reinforced.

The Crown recognised the people of the Americas as subjects, and they could also petition the Crown for privileges and alms according to their status. In the 1542 New Laws of the Indies, Charles ordered that Indigenous Americans should petition directly on matters of justice, underlining the way in which this distribution of resources served to reinforce the sovereign's position as the provider of justice in the imperial context. Among other things, Indigenous Americans petitioned the Crown to complain about abuses of *encomienda* and *repartimiento*, to complain that they were being overtaxed, and to have their lordship status or

[19] AGI, Chile, 165, L.3, F. 45v–46v. [20] For example, AGI, Filipinas, 18A, R.3, N.13.

lands recognised. The way in which Indigenous, Black, and mestizo subjects used the law to make petitions was discussed at the end of the last chapter.

As with other imperial provisions, the Crown wanted to give the Indigenous Americans access to justice, but in a way that was self-funding. Again, the Indigenous Americans were taxed to pay for this imperial infrastructure that was meant to serve their needs. The *holpatan* tax was intended to support Indigenous courts, and the *comunidades* tax was intended for community expenses. The Crown used the political economy of taxation to defray the costs of its moral economic obligations to provide justice and welfare.[21]

Like their Black, Indigenous, and mestizo counterparts, settler-colonists from Spain also mobilised the discourse of poverty to make legal claims to create or maintain social status in respect to the inequalities of colonial society. In 1553 Catalina de Chaves identified herself as poor in her legal case with Hernán Pérez de la Madre de Dios regarding the six slaves that she had in her house and had not paid the proper licence fees for.[22] It is unusual to think of a Spanish owner of enslaved people as poor, but identifying as poor was a strategic move as Catalina de Chaves could invoke both the sympathy and the legal protection of the courts. This shows both the moral dimensions of poverty and how concepts of poverty were not economic absolutes but were socially stratified. Similarly, in 1536 the Crown responded to a plea made by the Catalan Jaime Planes who had travelled to Puerto Rico with his wife and children and had been left bankrupted by royal officials who had fined him for not paying the licence fee for the enslaved person he had brought with him. The Crown upheld his plea on the grounds that the enslaved person had since died, he had subsequently paid the fee, and because he had claimed 'that he was poor and a foreigner and that he had passed it with ignorance because he had never gone to the Indies before'.[23]

The moral economy of the Spanish Empire, the way Crown and subjects used legal channels to negotiate the distribution of resources to defend or create social status in an imperial society structured by inequalities, is on display in the collection of documents relating to Doña Marina Flores Gutierrez de la Caballería (often referred to as Marina de la Caballería) (*c.*1478–1551), the widow of the royal treasurer for New Spain, Alonso de Estrada. Marina de la Caballería's father was a *converso* (converted Jew), but family strategy, including her good marriage, enabled her to hide this lineage, which was important as *limpieza de sangre* (purity of blood) legislation prevented Jews emigrating to the Americas.[24] Alonso

[21] For more on this topic see Gurminder K. Bhambra and Julia McClure eds, *Imperial Inequalities: The Politics of Economic Governance across European Empires* (Manchester: Manchester University Press, 2022).

[22] AGI, Indiferente, 424, L.22, F. 519v (2). [23] AGI, Santo Domingo, 868, L.1, F. 23r–24r.

[24] See Shirley Cushing Flint, '*La Sangre Limpiada* of Marina Flores Gutiérrez de la Caballería', *Colonial Latin American Historical Review*, 11: 1 (2002), 35–54. People with Jewish ancestry had to seek special permission to go to the Americas.

de Estrada was a well-positioned and educated citizen of Ciudad Real and had been a loyal military commander for the Spanish Crown before he travelled to the Americas. The couple had five daughters and two sons, all of whom gradually emigrated to the Americas, except the oldest son, who stayed in Spain and inherited the Spanish property.[25] Alonso de Estrada was a notable colonial official, having been appointed as royal treasurer in 1522. The couple had arrived in Mexico City shortly after its conquest by Cortés, and Marina de la Caballería would have been one of very few Spanish women of high social status.[26] De Estrada died suddenly in 1530, and the surviving family were left to bargain with the Crown and colonial officials in New Spain to maintain their social status.

Following de Estrada's death in 1530, Marina de la Caballería used her privileges as a widow and petitioned the Crown for support. Cushing Flint argues that Doña Marina, 'far removed from any familial pressure and expectation, recognized and capitalized on the opportunities the Mexican social frontier offered to a woman in her position and thus reenacted a long-standing Spanish tradition for women on the edge of empire'.[27] The moral-political economy of poverty was part of the way in which this notable woman negotiated the status of her family in the transatlantic context of empire.[28]

In 1530 the Crown issued a royal decree to the president and magistrates (*oidores*) of the *Audiencia* of Mexico to listen to the requests of the widower regarding the *indios* that her husband had been entrusted with, and to take into account her poverty, her many children, and the services of husband, and provide her with justice.[29] The family's eldest son Luis Alfonso was granted a licence to take two enslaved Black people to New Spain to work in Marina de la Caballería's house.[30] De la Caballería's struggle for imperial resources as the widow of a colonial official did not end here. In 1532 the Crown issued a royal decree to the *Audiencia* of Mexico to restore to her the *indios* that were part of the *encomienda* of Tlapa (one of the largest *encomiendas* of New Spain) that were taken upon the death of her husband.[31] Hernán Cortés opposed her having any claim related to Tlapa, leading to a legal struggle between the two.[32] Through her legal battle de la

[25] Cushing Flint, '*La Sangre Limpiada* of Marina Flores Gutiérrez de la Caballería', 36.
[26] For a more detailed discussion of her life see Shirley Cushing Flint, *No Mere Shadows: Faces of Widowhood in Early Colonial Mexico* (Albuquerque: University of New Mexico Press, 2013).
[27] Cushing Flint, *No Mere Shadows*, 29.
[28] Cushing Flint also draws attention to her strategic use of the language of poverty, Cushing Flint, *No Mere Shadows*, 30–1.
[29] AGI, Mexico, 1088, L. 1 BIS, F. 22v.
[30] AGI, Mexico, 1088, L. 1 BIS, F. 23v. De la Caballería was later granted a licence directly to import a number of enslaved Black people; 'Several royal cédulas', fols. 22v–24r; AGI, Indiferente General 422, L.15, 'Royal Cédula Giving Doña Marina License to Import Three Slaves, 1532', fols. 211v–212r, cited in Cushing Flint, *No Mere Shadows*, fns 91, 144.
[31] AGI, Mexico, 1088, L.2, F. 99r–99v.
[32] AGI, Justicia, 117, N. 3.

Caballería was able to maintain one half of Tlapa.[33] In 1532 the Crown also upheld her request for the *encomienda* of Tacuba (west of Mexico City) that was also taken upon the death of her husband.[34] Later that same year a royal decree to the *Audiencia* of Mexico is issued to restore to de la Caballería the enslaved Indigenous labour (*indios esclavos*) that were used to mine gold and had fled after her husband's death.

Crown support for settler-colonial families was not anticipated to be confined to nuclear family units but recognised families as part of social networks and expected some resources to be redistributed to other people to whom the well-placed family had particular obligations, for example by paying salaries or maintaining dependence. In the case of de la Caballería, in 1533 a royal decree ordered the *Audiencia* of Mexico to provide her with the houses and shops that she was obliged to return to another party, Inés de Paz.[35] In the meantime, the House of Trade continued to pursue an alleged debt of her husband Alonso.[36]

The history of the life of de la Caballería as a widowed woman from Spain living in Mexico in the early sixteenth century and petitioning the Crown for resources to maintain social status traversed the intersecting imperial landscapes of the evolving inequalities of race, gender, and class. Her history showcases how the moral-political economy of poverty worked to distribute resources and construct and maintain inequalities. From the content of the royal decrees it appears that de la Caballería was victimised as a woman following the death of her husband as she had to take action against the Dominican religious order regarding her husband's arrangement for burial in their church,[37] and against the *Audiencia* of Mexico regarding payments due to her husband for his services.[38] De la Caballería mobilised her status as a widowed woman and a mother living in a foreign land in order invoke both sympathy and the legal-political discourses of justice and protection. She used the moral language of poverty without irony to explain why she needed the restitution of forced Indigenous labour and the supply of Black slave labour. De la Caballería's attempt to maintain the social status of her family through its relation with subjugated peoples is especially notable given her particular social position as a descendant of Jewish converts, which emerged again as an issue for the family later in the sixteenth century as one of her descendants tried to enter the Order of Santiago,[39] a military-religious order whose membership conferred social status. De la Caballería's family history became the subject of legal investigation, concerning what legal documents the family possessed to prove their *limpieza de sangre* status. Cushing Flint observes

[33] Cushing Flint, *No Mere Shadows*, 36. Cushing Flint also notes that Doña Marina was an encomendera in her own right, Cushing Flint, *No Mere Shadows*, 37.
[34] AGI, Mexico, 1088, L.2, F. 120r–120v.
[35] AGI, Mexico, 1088, L.2, F. 212v–213v.
[36] Cushing Flint, *No Mere Shadows*, 34.
[37] AGI, Mexico, 1088, L.1 BIS, F. 23r–23v.
[38] AGI, Mexico, 1088, L.2, F. 138r–139r.
[39] Cushing Flint, '*La Sangre Limpiada* of Marina Flores Gutiérrez de la Caballería', 41.

that family were increasingly accepted into military orders in the seventeenth century as 'it became more and more difficult to investigate supplicants on two continents'.[40] De la Caballería's move across the Atlantic helped obfuscate her family's position within the social inequalities nexus of the Old World and cement it within the social inequalities nexus of the New.

Moral Regulation of the Market

Moral economic practices were not limited to the charitable redistribution of resources but included the regulation of markets. The economy was not conceptualised as an autonomous realm but something that had to be managed politically to prevent the poorest from destitution and the richest from corruption. The economy and economic practices were not conceptualised as free-floating but part of the broader political and moral fabric of society. Consequently, it was common for markets to be regulated in the Middle Ages across the Christian and Islamic worlds.[41] Regulation of markets for vital foodstuffs such as grain were common, and these regulations tended to decline in the early modern period.[42] As an increasingly global market began to emerge in the sixteenth century, the sovereign had to consider its redistributive capacity in relation to the state's economic needs and moral-political obligations. In the context of increased urbanisation and transatlantic trade, the market was connecting more people across urban and rural contexts and across geographically distant places of empire. Moral regulation of the market did not aim to produce equal distributions of goods but to protect the status of particular groups. During the early modern period, scholars helped theorise moral economic frameworks that were compatible with social inequalities. As Francesca Trivellato explains, 'moral theologians mixed economic analysis with normative directives: they recognized the role of supply and demand in the mechanisms of price formation, but also affirmed the need to preserve the inequality that defined societies of order'.[43] Trivellato adds that 'the dominant discourse of economic justice did not assume the existence of a one-dimensional hierarchy but rather sought to harmonize individuals' contractual freedom with groups' social status'.[44] The way in which moral theologians thought about the place of rich and poor in society, the equitability of people of

[40] Ibid., 52.

[41] For more on this topic see Abdul Azim Islahi, *History of Islamic Economic Thought: Contributions of Muslim Scholars to Economic Thought and Analysis* (Cheltenham: Elgar, 2014).

[42] For more on this topic see Karl Gunnar Persson, *Grain Markets in Europe, 1500–1900: Integration and Deregulation* (Cambridge: Cambridge University Press, 1999).

[43] Francesca Trivellato, 'The Moral Economies of Early Modern Europe', *Humanity: An International Journal of Human Rights, Humanitarianism, and Development*, 11: 2 (2020), 193–201, 193.

[44] Ibid., 193–4.

different social status, and the role of the market in relation to this, enabled the development of economic practices that could be considered moral even if they helped reproduce inequalities.

Grain stores had been a feature of moral-political economic governance to prevent famines in times of scarcity across different societies of the classical and medieval worlds and they continued to be important in the early modern period, although how they were provisioned and regulated was subject to change. How grain stores were provisioned changed as how markets functioned and were regulated changed across different societies. In Spain the grain stores were known as *positos*. Regina Grafe explains that in early modern Spain these *positos* blended public and private finance as the grain was transported voluntarily by private contracts except in times of scarcity when transporters could be drafted.[45] Grafe notes that 'the Madrid *posito* did have the right to sequester both grain and transport at fixed prices in extreme situations'.[46] In 1580 the Crown issued a royal decree to the viceroy of New Spain asking for information on how a *posito* could be established for Mexico City, without economic disadvantage to the royal *hacienda*.[47] As with other aspects of welfare provision, the Crown wanted to find ways of limiting, or outsourcing, the costs. Grain was not sequestered to run the *positos*; rather these stores were run through interactions with the market.

The Spanish Crown had some political economic policies to try to regulate the market in relation to its moral obligation to ensure that the poor were fed. It engaged in price fixing, a key fiscal measure intended to protect the poor and ensure that they could access basic necessities through the market, but also had downsides as it prevented sellers from raising prices on certain essential goods when they might need to. As Wim Decock explains, 'the ultimate justification for setting the price of grain, even below the natural just price, is the notion that the common good of the state (*bonum commune reipublicae*) prevails over particular interests'.[48] Price fixing had downsides in suppressing profits, but was meant to protect the poor. Price fixing has been seen as the cause of economic problems in the Spanish agricultural sector in the early modern period,[49] but this is also debated.[50] Fixed pricing of key foodstuffs was not universal but particular to

[45] Regina Grafe, *Distant Tyranny: Markets, Power, and Backwardness in Spain, 1650–1800* (Princeton, NJ: Princeton University Press, 2012), 106.

[46] Grafe, *Distant Tyranny*, 106.

[47] AGI, Mexico, 1091, L.9, F. 147v–148v. Later documentation indicates that a *posito* had been established in Mexico City as early as 1581; see AGI, Mexico, 1092, L.13, F. 93r–93v.

[48] Wim Decock, 'Princes and Prices: Regulating the Grain Market in Scholastic Economic Thought', in Jörg Tellkamp ed., *A Companion to Early Modern Spanish Imperial Political and Social Thought* (Leiden: Brill, 2020), 172–96, 186.

[49] Jaime Vicens Vives, *An Economic History of Spain* (Princeton, NJ: Princeton University Press, 1969), 346. Vicens Vives argues that this policy, which favoured consumers over producers, exacerbated problems at a time of rising prices and urbanisation.

[50] Robert DuPlessis, *Transitions to Capitalism in Early Modern Europe* (Cambridge: Cambridge University Press), 52.

different locations. For example, in 1620 the royal *Audiencia* of Santa Fe de Bogotá made an agreement about fixing the price of bread and flour in the city.[51] People faced criminal charges for selling bread below weight.[52] People could also appeal to the emerging moral-political economy of poverty to protest such sentences on the grounds that they were poor, as Angeles Jeronima, an *indio*, did in Santa Fe de Bogotá in 1636.[53]

Practices of price fixing and notions of a 'just price' were an important part of moral economic debates in the medieval and early modern periods. In the thirteenth century, Thomas Aquinas developed a notion of just price based upon common estimation (*communis aestimatio*), not as a price that could be determined by the market as an abstract entity but as a 'price that would be agreed to by a just person as part of an exchange'.[54] This bilateral equitability made it a matter of commutative justice. Differing from the Thomists, the medieval nominalists had understood just price as something determined by authorities.[55] Price fixing, especially for key commodities like grain, had been important to the medieval moral economy.

The poverty debates of the sixteenth century were part of broader theorisations of how the economy worked in the sixteenth century, and what rulers should do to promote wealth and prevent poverty. Many of these explorations were undertaken by the Second Scholastics, such as Domingo de Soto, who were interested in the combined questions of the proper moral, legal, political, and economic order. Developing the line established by Aquinas, Second Scholastics, such as Francisco de Vitoria, wrote extensively on just price in the sixteenth century. Vitoria developed Aquinas' focus on private property and the importance of commutative justice for just market exchange. This was not to be decided by rulers but between the parties taking part in the transaction. Martti Koskenniemi has argued that the way in which the Second Scholastics focused upon theories of property and commutative justice in their conceptualisations of just market exchanges mean that 'the world was an empire, but an empire of private rights'.[56]

The Second Scholastics of the sixteenth century, like earlier scholastics, were particularly interested in the role of money in society. They debated the morality of money and the market and what kind of legislation was required to limit poverty and promote fairness. In some of these works, there emerged arguments against regulating the market. Movements away from regulating the market, and

[51] AGNC, Abastos: SC.1,4, D.16.
[52] For example, Juan Molano, 1636, Santa Fe de Bogotá; AGNC, Miscelenaea: SC.39, 88, D.19.
[53] AGNC, Caciques indios, 32, D.80.
[54] Daryl Koehn and Barry Wilbratte, 'A Defence of a Thomistic Concept of the Just Price', *Business Ethics Quarterly*, 22: 3 (2012), 501–26, 501.
[55] Diego Alonso-Lasheras, *Luis de Molina's De Iustitiae et Iure: Justice as Virtue in an Economic Context* (Leiden: Brill, 2011), 148.
[56] Martti Koskenniemi, 'Empire and International Law: The Real Spanish Contribution', *University of Toronto Law Journal*, 61 (2011), 1–36, 28.

consideration of the functions of the market, were debated. Martín de Azpilcueta (1493–1586), a critic of de Soto, was against price fixing.[57] Tomás de Mercado (*c.*1520–75) generally advocated more free markets, but in *Suma de tratos y contratos* (Seville, 1571), he advocated price control of grain. Luis de Molina (1535–1600), who was influenced by Azpilcueta, wrote *De iustitia et iure* in 1593, which was also against price fixing.[58] Scholars have debated whether these scholastic thinkers were 'proto-liberal', and Molina is seen as moving most towards a position that would become labelled as liberal.[59] However, there were still discussions on the limitations of the market and the way it operated.[60]

At the end of the sixteenth century, Molina had distinguished three types of prices, legally fixed, natural, and just prices.[61] While he recognised the moral obligations to help the poor when scarcity raised the price of wheat, he was opposed to price fixing, pointing to problems of corruption and the challenges of regulating an international marketplace.[62] Instead of fixed legal prices, Molina advocated regulation of the market through forced selling.[63] Moral theologians who opposed price fixing in the long sixteenth century were not advocating for free-market economics but considering what needed to be taken into account for the moral operation of the market. The impact of the increasingly global imperial context in the sixteenth century influenced the thinking of moral theologians, as the principles of exchange and value became more complicated as distances increased and as prices became more volatile.[64]

The *tasa*, a legal maximum price for basic foodstuffs, namely wheat, barley, and rye, was introduced by Ferdinand and Isabella in 1502 (although this was not applied in Catalonia or Valencia which were dependent upon Mediterranean grain markets). Regulation of the grain market was intended to prevent bread riots. The introduction of the maximum price *tasa* was triggered by a harvest failure that had led Castile to import wheat. The maximum pricing was designed to protect the poor, but it was also a burden to agricultural producers looking to sell grain to make a living and avoid accumulating debt. Charles V passed new maximum prices for grain in 1539 and Phillip II did so in 1558 (*Pragmática del trigo*). Contemporaries debated whether price fixing was good for the commonwealth or damaging to agricultural production.[65] The *tasa* was revoked in 1619 but reimposed in 1628 and revised in 1632, when farmers were exempted from

[57] Barry Gordon, *Economic Analysis before Adam Smith: Hesiod to Lessius* (London and Basingstoke: Palgrave, 1975), 239.
[58] For more on this topic see Marjorie Grice-Hutchinson, *The School of Salamanca, Readings in Spanish Monetary Theory, 1544–1605* (Oxford: Clarendon Press, 1952).
[59] Rudolf Schüssler, 'The Economic Thought of Luis de Molina', in Alexander Aichele and Mathias Kaufmann eds, *A Companion to Luis de Molina* (Leiden: Brill, 2013), 257–88, 259.
[60] Ibid., 271.
[61] Alonso-Lasheras, *Luis de Molina's De Iustitiae et Iure*, 151.
[62] Ibid., 162–3.
[63] Ibid., 164.
[64] See also Schüssler, 'The Economic Thought of Luis de Molina', 273.
[65] James Casey, *Early Modern Spain: A Social History* (New York: Routledge, 1999), 57.

setting a maximum price for their own grain. The *tasa* price fixing of grain was abolished in 1765. The price fixing had been called for by the *cortes*, and were in the interests of the growing urban proletariat. Vassberg describes price fixing in the Iberian Peninsula as 'municipal mercantilism.'[66] Vicens Vivens argued that it led to capped profits, lower land values, and led people to leave the countryside for cities or the Americas.[67]

During the sixteenth century, there was much correspondence between the Crown and subjects from across the Spanish Empire regarding the *tasa*. The Crown took measures that protected Spanish exports to the Americas by ordering that no *tasas* were placed on goods arriving from Spain.[68] In this way, price fixing offered opportunities for protecting exports and supporting producers and traders in Spain.

Legislation on price fixing in the Americas not only concerned basic foodstuffs like grain but also the market in enslaved people, and this was also done in the name of helping the poor. In 1543 the Crown issued a royal decree to fix the prices of a particular ship of enslaved Black people.[69] The Crown explained that, if this was not done, then the best enslaved people were sold and the poor and widows were left with the weakest.[70] In 1565 the Crown received a petition from the City of Panama requesting that they could impose extra taxes on the goods shipped through the South Sea and on enslaved Black people entering through the North Sea, which they claimed they wanted to use to fight Black maroons (*çimarrones*).[71] The maroons were described as a danger as they were bellicose and wandered freely, and the petition reasoned that the tax would spread the contribution of paying for this defence with the least harm to people.

The regulation of the grain market indicated a moral-political economic strategy of ensuring that people had enough to eat in order to maintain political and social stability but, since the Middle Ages, the Crown could also issue an emergency tax on foodstuffs, known as the *sisa*, usually to fund public works. Luis Weckmann noted that 'the municipal government of Mexico City requested and received three times—in 1553, 1554, and 1564 – the right to impose a "*sisa* on meat" to obtain extraordinary funds'.[72] These funds were used to extend an aqueduct and construct a fountain.[73] The notion that funds collected through

[66] David Vassberg, *Land and Society in the Golden Age Castile* (Cambridge: Cambridge University Press, 1984), 188.
[67] Vicens Vives, *An Economic History of Spain*, 346.
[68] In 1531 a royal decree to the justices of Nicaragua ordered that merchants from Seville be able to sell their goods at any price, without *tasas*; AGI, Guatemala, 401, L.2, F. 32–32v. In 1540 the Crown instructed the officials of the *Audiencia* of Hispaniola that no *tasas* were imposed on goods arriving from Seville; AGI, Patronato, 278, N.2, r.173.
[69] AGI, Santo Domingo, 868, L.2, F. 198r–198v.
[70] AGI, Santo Domingo, 868, L.2, F. 198r–198v.
[71] AGI, Panama, 236, L.10, F.30r–31r.
[72] Luis Weckmann, *The Medieval Heritage of Mexico*, trans. Frances M. López-Morillas (New York: Fordham University Press, 1992), 344.
[73] Ibid, 344.

particular revenue streams were used for the common good was important to the construction of the moral legitimacy of the political economy of empire.

The imperial grain market was regulated in more ways than price fixing. People taking bread out of Spanish ports needed a licence. In 1518 the *alguacil* (sheriff) of the House of Trade received a licence to take 200 *cahices* (an antique measure that varied by region) of bread without making the required payments as long as the bread was intended for 'Christian friends'.[74] The Crown conducted investigations into whether any movement of bread had occurred with the proper licences.[75] People could be prosecuted if they took bread to the Americas without a licence.[76] The grain market was managed on both sides of the Atlantic. In 1530 Council of the Indies wrote to the House of Trade for a list of who had been issued with licences and how much bread and wheat they had registered to take to the Indies.[77]

Food markets and consumption were governed by a number of religious, moral, political, and economic rules in the Spanish Empire. It was a well-established practice not to eat meat on Fridays or during Lent. Yet it was difficult to uphold these customs across varied regions, where other foodstuffs like bread or fish were scarce. In 1547 the Crown contacted the *Audiencia* of the island of Hispaniola as the *procuradores* of the island had asked for a licence for the *indios y esclavos negros* (Indians and Black slaves) to eat meat during Lent as there was little else and many were dying from hunger and other illnesses, and this was making them rebellious.[78] The Crown did not rule directly on this matter but advised the colonial officials to talk with the bishop and cathedral chapter of Saint Dominic to make an agreement, pointing to one of the ways in which decentralised moral authority could shape the political economy of the Spanish Empire.

Looking at policies of certain taxation, price fixing, and licensing can make the political economy of the Spanish Empire look rather centralised, which risks flattening the constitutional complexity highlighted in earlier chapters. The Christian Crowns had expanded their control over the Iberian Peninsula during the so-called '*Reconquista*' by effectively pawning parts of their political sovereignty, such as the right to raise taxation, in return for the economic capital of elite subjects who would finance military expeditions themselves with the hope of receiving economic rewards in the future. The Spanish Crowns had issued *fueros* (law codes) and *cartas pueblos* (municipal charters) which conceded a number of privileges, exemptions, and liberties. A similar process took place with the Spanish colonisation of the Americas. The Crown issued contracts to conquistadores promising rewards in return for military expeditions to expand the

[74] AGI, Indiferente, 419, L.7, F. 780r–780v.
[75] AGI, Indiferente, 420, L.9, F. 86r–87v.
[76] AGI, Indiferente, 420, L.10, F.98v–101r.
[77] AGI, Indiferente, 1952, L.1, F. 149 BISv–150v.
[78] AGI, Santo Domingo, 868, L.2, F. 316r–316v.

Empire.[79] The Crown had tried to avoid replicating the kind of entrenched elite power that characterised the Iberian Peninsula, but the New World became a patchwork of privileges similar to the Old. The Crown tried to avoid making large land grants (the largest land rewards were held by the estate of Hernán Cortés). It often granted monopoly contracts, especially for lucrative industries like salt and sugar.

In addition to general policies of taxation, the Crown made individual rulings for exemptions from taxations or rights to exploit certain resources or develop certain industries. This political economic governance was often done in the name of moral economic objectives. For example, in 1597 the Crown issued a royal decree to the treasury officers in Cartagena (on the Caribbean coast of mainland Colombia), New Andalusia (the governorate that incorporated parts of today's Chile, Argentina, and Uruguay), the islands of Hispaniola and Puerto Rico to exempt them from the *almojarifazgo* payment on agricultural products that they planned to sell to other territories for six years.[80] This royal decree explained that this exemption was on account of the poverty of the province of Venezuela, which was caused both by attacks by pirates and the ongoing resistance of Indigenous groups.

In 1585, when the *Audiencia* had written to Manila for food for soldiers and funds for hospitals, they also requested that the *almojarifazgo* rate be lowered from 3% to 1%.[81] The *Audiencia of Manila* also sought advice from the Crown regarding what the local inhabitants (referred to as *naturales*) should start paying tribute, and how those who had been robbed by conquistadores should be compensated. Such documents illustrate how political economic policies were not only influenced by scholars and elites but also shaped in discussion with colonial officials across empire, pointing to possibilities of a more bottom-up history of economic thought.

Colonial officials called for different people and places to be taxed differently, which was a common political economic practice for establishing and maintaining inequalities across empires.[82] Colonial officials in the Philippines argued that tribute payments should vary since some places were rich and others poor.[83] Further, it was argued that Muslims in the Philippines should be taxed more as they tended to be richer whereas the people identified (by the colonists) as natives, variously referred to as *naturales* or *indios*, were poor. It was also noted that those without work cannot pay the tribute. Colonial officials made moral arguments about poverty to advocate for a political economy that inscribed inequalities in the imperial system.

[79] For more on these contracts see Julia McClure, 'Conquest by Contract: Property Rights and the Commercial Logic of Imperialism in the Isthmus of Tehuantepec (Southern Mexico)', *Bulletin of Latin American Studies*, 41: 4 (2022), 557–72.
[80] AGI, Caracas,1, L.2,F. 63r–64r. [81] AGI, Filipinas, 18A, R.3, N.13.
[82] For more on this topic see Bhambra and McClure, *Imperial Inequalities*.
[83] AGI, Filipinas, 34, N.11, F. 69r–72v.

There were multiple attempts to reform political economic policies in the sixteenth and seventeenth centuries. As previously mentioned, some Spanish scholars such as Azpilcueta and Molina were against price fixing. In 1619 the *arbitrista* Sancho de Moncada advocated a policy to replace the sales taxes with a single tax on bread and grain.[84] In the seventeenth century, the famous statesman Count Duke of Olivares also tried to centralise and raise taxation; this led to revolts in Catalonia and Portugal, just as Charles V's attempts to change historic systems of taxation had triggered the *comunero* revolt in 1520. What we have seen here is that political economic policies were influenced by moral beliefs and were shaped not only by scholars but also by the requests of people across the empire.

Some of Spain's economic commentators can be classed as mercantilists, concerned with the balance of trade. For example, Luis Ortiz had argued that the export of raw materials and import of foreign manufacturing should be forbidden.[85] There were further measures of economic protectionism and safeguarding of the balance of trade. In 1617 Chinese silks were banned from Spain. And there were further attempts to prevent the import of Asian goods in both Spain and the Americas.

Spain's political economic policies have been seen as classic examples of the failure of mercantilism, especially by political economic thinkers like Adam Smith, or viewed as merely 'pseudo-mercantilist'.[86] Grafe has argued that this narrative of failure does not take into account the particular political make-up of the Spanish state which had forms of political representation and participation that would have made the uniform imposition of mercantilist economic policies difficult.[87] Grafe argues that the history of the Spanish world needs to be seen in its own terms, not in relation to the historical models used to explain the history of the anglophone world. In particular, it had a highly devolved, or 'polycentric', political structure consisting of regional parliaments (*cortes*) with particular rights and freedoms (*fueros*). As also mentioned in earlier chapters, this political constitutional arrangement affected its moral-political economic practices.[88]

Assessment of the economic practices of the Spanish Empire must take into account the way in which these were situated within the broader moral-political economic context. Further, moral-economic policies were not only the result of theories developed by School of Salamanca scholars but pragmatic responses to petitions from subjects from across the Spanish Empire as well as negotiations with the constitutional rights (for example to taxation) enshrined in the *fueros*.

[84] Regina Grafe, 'Polycentric States: The Spanish Reigns and the "Failures" of Mercantilism', in Philip J. Stern and Carl Wennerlind eds, *Mercantilism Reimagined: Political Economy in Early Modern Britain and Its Empire* (Oxford: Oxford University Press, 2013), 241–62, 250.
[85] Marjorie Grice-Hutchinson, *Early Economic Thought in Spain 1177–1740* (Indianapolis, IN: Liberty Fund, Incorporated, 2015), 140.
[86] See Grafe, 'Polycentric States', 241–2. [87] Grafe, 'Polycentric States', 243.
[88] See also Julia McClure 'The Role of Constitutions in Shaping Historic Patterns of Inequality: Rethinking the Spanish Tradition', in Anna Chadwick, Javier Solana, Eleonora Lozano Rodriguez, and Andrés Palacios eds, *Markets, Constitutions and Inequality* (London and New York: Routledge, 2022), 142–160.

Moral and political beliefs and institutions concerning justice and rights shaped political economic policies. Much ink has been spilt on the question of whether the political economic governance of the Spanish Empire can be classed as mercantilist, and if so whether Spanish mercantilism was a success or failure. Yet, if we look beyond the history of a particular economic model, what we see is the complex ways in which moral, political, and economic realms were entangled and the different ways in which the different people of empire interacted with and shaped the moral-political economy of the Spanish Empire.

Spain's history of the fiscal policies of price fixing (the *tasa*), monopolies, and other trade regulations, that are usually seen as part of the history of mercantilism, have origins which predate the so-called 'Age of Mercantilism' (1650–1780). These policies were at once moral, political, and economic. The 'proper' emergence of mercantilism in the seventeenth century has been conceptualised as a time when 'a set of shared terms, categories, and concepts emerged…, characterised by systematic and logical argumentation centred on material wealth instead of morality, the creation of wealth rather than its distribution, and the perception that the economy constitutes a separate system in which forces of supply and demand dictated economic conditions'.[89] If we lengthen our historical analysis to include the Middle Ages and the sixteenth century, we can trace the way in which this 'economic' not only grew out of moral and religious thinking (especially about justice for the poorest in society) but also points to a more complicated ongoing relationship between the moral, the political, and the economic.

Studies of changes in moral-economic thought in the long sixteenth century should also consider how scholars were influenced by their encounter with a continent that had been unknown previously to them and the new global concepts this encounter engendered. A theory of international trade was part of Francisco de Vitoria's reflection on the law of nations (*ius gentium*) and theory of Spanish sovereignty in the Americas. In his second proposition of Question, Article 2, concerning Spain's right to be in the Americas, Vitoria argued that:

> The Spaniards may lawfully trade among the barbarians, so long as they do no harm in their homeland. In other words, they may import the commodities which they lack, and export the gold, silver, or other things which they have in abundance; and their princes cannot prevent their subjects from trading with the Spaniards, nor can the princes of Spain prohibit commerce with the barbarians.[90]

[89] This summary of an argument made by Lars Mangusson can be found in Philip J. Stern and Carl Wennerlind, 'Introduction', in Philip J. Stern and Carl Wennerlind eds, *Mercantilism Reimagined: Political Economy in Early Modern Britain and Its Empire*, 3–22, 7.

[90] Vitoria, 'On the American Indians' (*De indis*), in Anthony Pagden and Jeremy Lawrence eds, *Political Writings* (Cambridge: Cambridge University Press, 1991), 231–92, 279.

Here we see that a principle of exchange between places that had things in abundance and other places where they were scarce was proposed as a legitimate basis for interactions between Spain and the Americas, and that this private trade could not be prevented by rulers. Vitoria added to this the proposition that 'if there are things among the barbarians which are held in common both by their own people and by strangers, it is not lawful for the barbarians to prohibit the Spaniards from sharing and enjoying them'.[91] He gave the example of gold, fish, and pearls. This conceptualised long-distance trade, and the exchange of goods between places of scarcity and abundance, a legitimate basis for establishing connections between people and places. The legal scholar Ileana Porras observed that Vitoria represented the 'goods' that might be taken from the Americas as not needed by them.[92] Porras argues that the way early theorists conceptualised international trade in terms of a providentialist theory of the natural distribution of goods facilitated a blurring of lines between commercial exchange and gift-exchange.[93] At the same time that moral theologians were grappling with moral regulations of the market in Europe and political economic policies for the new imperial context, moral theologians were also devising new ways of conceptualising the moral edges of long-range trade.

Throughout the medieval and early modern periods, moral theologians concerned with the potential immorality of the market and the place of different status groups, especially the poor, within society, moral theologians helped develop the moral framework for the functioning of markets and the principles of exchange. Concepts of legitimate market practices and political economic policies were born out of moral-political discussions, especially relating to concepts of poverty and the place of the poor in society. Moral theologians' new conceptions of the market and the morality of political economic practices responded to the newly emerging global context of empire at the same time that political economic policies were being shaped in response to the people of empire.

The New Colonial Moral Economy

During the sixteenth century, the colonisation brought the transformation (but not the end) of Indigenous societies. While many lives were lost through colonial violence and the diseases brought by the colonists, many survived in what was becoming a changed world. The Americas also became home to people from Africa, Asia, and Europe. Throughout the sixteenth century, a new world was

[91] Ibid., 280.

[92] Ileana M. Porras, 'The Doctrine of the Providential Function of Commerce in International Law: Idealizing Trade', in Martti Koskenniemi et al. eds, *International Law and Religion: Historical and Contemporary Perspectives* (Oxford: Oxford University Press, 2017), 313–33, 321.

[93] Ibid., 314.

created through colonialism, a world that was in dialogue with multiple Indigenous pasts. A new moral economy was part of this new world. As Chapter 2 showed, pre-invasion societies in the Americas had had their own moral economic practices for mitigating the risks of scarcity and for distributing resources and maintaining stability. Colonialism placed pressures on these traditional systems, sometimes to the point of collapse. The sixteenth century was a time of ideological warfare as Christian missionaries sought to convert Indigenous people to Christianity and impose its own moral economy. Different syncretic belief systems and hybridised religious practices emerged. The emergence of this new moral world was of course uneven, with sedentary populations in central Mesoamerica being subjected to more consistent missionary activity than nomadic groups or groups living in places more difficult for the colonists to reach. This new moral economy was informed by the dialogues between Christian missionaries and Indigenous actors.

During the Middle Ages in Europe, members of religious orders concerned with the distribution of goods in society and the need for justice for the poor investigated how Christians could and should act morally, according to religiously informed notions of ethics and justice, while conducting their social, economic, and political lives. Religiously motivated investigations into the morality of economic practices helped advance economic theories of the market. Resulting moral and religious instructions helped shape economic practices. Consequently, the moral economy that had developed in Europe by the end of the Middle Ages concerned not simply the redistribution of goods from the rich to the poor through benevolent acts of charity but also broader concepts of economic justice relating to the operation of markets, including concepts and practices of exchange, profit, usury, and debt. These moral conceptions of the market were part of the fabric of the moral economy.

Prior to European invasion, Indigenous societies had their own moral concepts and practices of the market. Archaeological evidence from many different Indigenous American settlements shows both the centrality of the marketplace and evidence of exchange and long-range trade, and that cacao beans were often used as currency in Aztec and Maya societies. Evidence from the *Mapa Quinatzin* for the central Mexican city of Texcoco (one of the three Nahua city states making up the Triple Alliance of the Aztec Empire) indicates that order was maintained across social inequalities by a well-structured government that issued laws which codified the activities of the merchants and artisans according to principles of justice.[94] Across Aztec societies in Central Mexico, the everyday practices of

[94] See Luz María Mohar Betancourt, *Códice Mapa Quintatzin: Justicia y derechos humanos en el México antiguo* (Mexico DF: Grupo Editorial Miguel Ángel Porrúa, 2004). The *Mapa Quinatzin* is a sixteenth-century source that has also been used to study pre-colonial societies; whether colonial-era sources can be used to understand pre-invasion societies is the subject of long-standing debate. Offner used this source to study Texcocan law and noted that, while it is not a pre-colonial source, 'it was probably copied from a pre-Conquest model', Jerome A. Offner, *Law and Politics in Aztec Texcoco* (Cambridge: Cambridge University Press, 1983), 79.

special groups, warriors, priests, and merchants were regulated by moral and legal norms.[95] Luz María Mohar Betancourt explains that the marketplace 'played a fundamental role in the social, political, and religious life of the population'.[96] Texcocan society had legal practices that regulated socio-economic activities, including class structure and land distribution and productivity.[97] Offner suggests that rulers protected people against fraud and regulated prices and merchant activities, but that 'given the close relationship between the rulers and the merchants of Tlatelolco, the merchants might actually have been involved in organized price-gouging and profiteering'.[98]

Prior to European invasion, there were moral concepts of wealth in the Americas. Aztec warriors saw merchant wealth as less virtuous as it had not been won in battle like theirs.[99] Warriors and nobles were more likely to display their wealth than merchants, who were often more secretive.[100] Displays of wealth that were necessary to advance in the hierarchy of merchants were accompanied by gift-giving.[101]

The sources produced by the interactions between Christian missionaries and Indigenous Americans help to understand the moral dialogues of the early colonial world, dialogues that changed both European and American moral concepts.[102] As previously mentioned in this book, the Florentine Codex was produced by Indigenous scribes in a Franciscan convent school and can be used to examine the transformations taking place during missionary attempts at conversion to Christianity, as well as to try to understand Indigenous beliefs and customs prior to colonialism. Book 10 focuses on specialised activities of people of different socio-economic status, and the moral norms associated with different social positions and forms of labour. Indigenous beliefs, albeit in the colonial context, about the morality of the market are reflected in comparisons between the good and bad merchant. The 'good merchant' makes profits, is 'a straightforward dealer, honest, reliable', is god-fearing, negotiates contracts, and helps others. The 'bad merchant' is described as 'a deceiver, a conspirer, a confusing dealer, a liar, an ignorer of others, a practiser of trickery and an illicit trafficker. He tricks others, practises usury, demands excessive interest'.[103] Making profits,

[95] See also Inga Clendinnen, *Aztecs: An Interpretation* (Cambridge: Cambridge University Press, first published 1991, ACLS ebook edition 2014).

[96] Mohar Betancourt, *Códice Mapa Quintatzin*, 317.

[97] See Offner, *Law and Politics in Aztec Texcoco*, 146, Offner cited Ixtlilxochitl, 1952: II, 231–2.

[98] Offner, *Law and Politics in Aztec Texcoco*, 156.

[99] Inga Clendinnen, *Aztecs: An Interpretation*, 191.

[100] Ibid., 189.

[101] Offner, *Law and Politics in Aztec Texcoco*, 157.

[102] See also Louise M. Burkhart, *The Slippery Earth: Nahua-Christian Moral Dialogue in Sixteenth-Century Mexico* (Tucson, AZ: University of Arizona Press, 1989).

[103] Bernardino de Sahagún, *Florentine Codex: General History of the Things of New Spain*, vol. 10, *The People*, translated from the Aztec into English, with notes by Charles E. Dibble and Arthur J. O. Anderson (Santa Fe, NM: University of Utah, 2012), 59.

which had been debated by European moral theologians in the Middle Ages, was seen as good but was directly associated with the redistributive social goals of helping others. Further, contracts, the morality of which had also been debated in the European Middle Ages, were seen as part of virtuous business practice. Deceit and usury were both classed as immoral practices for merchants.

Missionaries described how Indigenous practices of charity changed in the colonial era. For example, Fray Motolinía described the new charitable practices of the people of Tlaxcala, explaining how the distribution of alms had replaced the older system of an exchange of labour,[104] and how Indigenous people started to engage with Christian litigious practice of will-writing to ensure the redistribution of goods after their death, noting that this had not been an Indigenous American custom.[105] Further, Motolinía described how the language of debt had become important to Indigenous concepts of Christian charity:

> While I was writing this a poor Indian came to me and said: 'I have certain debts upon my conscience. Here is a plate of gold which must be worth the amount of my indebtedness; tell me to whom I should give it. Also I sold a slave days ago and I have sought for him and cannot find him. Here is the price I received for him. Will it be sufficient to give it to the poor, or what will you bid me do?'[106]

The extent to which any missionary source can give meaningful insights into Indigenous perspectives in the sixteenth century is debatable, but the writings of the religious orders can help understand the aspirational moral order of the missionaries and some of the transformations taking place through the colonial encounter. It is difficult to know what moral economic concepts of debt existed in the Americas prior to colonialism; for example, offerings to the gods (*nextlahualli*) have been thought of as debt payment. Across many Eurasian societies, debt and sin were closely connected.[107] In the Christian tradition, sin was balanced through moral and spiritual economy of penance.

Penance, voluntarily submitting to hardship for the remission of sins, was important to the management of moral and spiritual economies in medieval Europe and in pre-invasion Americas and it became an important part of colonial culture. In medieval Europe, religious scholars produced penitential handbooks for merchants, advising them regarding sins related to trade and price.[108]

[104] Toribio de Motolinía, *History of the Indians of New Spain*, ed. and trans. Elizabeth Foster (Westport, CT: Greenwood Press, 1973), 143.
[105] Ibid., 143. [106] Ibid., 145.
[107] See David Graeber, *Debt: The First 5,000 Years* (Brooklyn and London: Melville House, 2014 (reprinted from 2011)), 59.
[108] For more on this topic see Odd Langholm, *The Merchant in the Confessional: Trade and Price in the Pre-Reformation Penitential Handbooks* (Leiden: Brill, 2003).

Priests and members of religious orders could be found undertaking penitential acts for the broader salvation of society.[109] In the Aztec Empire, merchants often wore maguey fibre cloaks as ritual penance.[110] Aztec priests undertook penitential acts, such as piercing their body parts (typically tongues, ears, legs, and penises) with maguey spines, in order to offset the natural disasters that were seen as punishments from the gods.[111] Burkhart argues that 'Indigenous morality had a this-worldly rather than other-worldly focus', as even such performances of penitence aimed to gain current favour rather than the forgiveness of past sins.[112]

The colonial encounter produced new hybridised penitential cultures to manage the morality of colonial society. As mentioned in earlier chapters, many different groups, Indigenous, Afro-Indigenous, mestizo and Spanish, formed confraternities that enabled them to mobilise different forms of capital within the imperial context.[113] Confraternities enabled different groups to form new penitential cultures and navigate new concepts of sin, especially those relating to the morality and immorality of wealth.

Colonial commentators often referred to the absence of greed in Indigenous societies. The Franciscans especially had referred to this absence of greed to argue that Indigenous people were distinct from the conquistadores who, they argued, were driven primarily by greed.[114] The Franciscans made this rhetorical contrast to emphasise the need for their particular custodianship of Indigenous people. Elsewhere colonial commentators saw the presence of polygamy in some colonial societies as an example of greed. Within Christianity, greed is a central concept as one of the seven deadly sins, and as such was part of the missionaries' moral instruction of Indigenous people. Whether or not concepts and practices of greed were absent from pre-invasion Indigenous societies is difficult to know with certainty, but they certainly became central to the new moral order. The Dominican missionary Diego Durán wrote a moral-political description of the Aztec world that explained that its rulers had become corrupted by their wealth.[115]

Alongside the immoral vice of greed, missionaries instructed Indigenous people in the moral virtues of generosity and charity. Motolinía wrote that '[t]he Indians have built many almshouses where they care for the sick and poor, for out of their own poverty they provide abundantly for them'.[116] The missionaries'

[109] The extent to which Indigenous American and European concepts of penance were similar prior to moral dialogues that developed during colonisation is discussed by Burkhart. Burkhart, *The Slippery Earth*, 141–50.
[110] Clendinnen, *Aztecs: An Interpretation*, 188.
[111] People in the Maya region of southern Mesoamerica also undertook penitential acts with maguey spikes; see Figure 6.
[112] Burkhart, *The Slippery Earth*, 28.
[113] For more on this topic see Nicole van Germeten, *Black Blood Brothers: Confraternities and Social Mobility for Afro-Mexicans* (Gainesville, FL: University Press of Florida, 2006).
[114] See also Julia McClure, *The Franciscan Invention of the New World* (Basingstoke: Palgrave, 2016).
[115] Summarised in Burkhart, *The Slippery Earth*, 132.
[116] Motolinía, *History of the Indians of New Spain*, 154.

moral invention of Indigenous people as people who were opposed to greed and naturally generous—giving to others 'out of their own poverty'—helped construct Indigenous people as colonial subjects. Motolinía described the building of an almshouse in Tlaxcala in 1537 (the Hospital of the Incarnation), and the generous donations it received from Indigenous people:

> the people made a very large offering of corn, beans, and chili as well as sheep and pigs and native fowl, which are so good that they give three or four Spanish fowl for one native bird. They give a hundred and forty of the latter and infinite number of Spanish ones. They also gave a great deal of clothing, and every day they continue to give offerings and alms, so much that although the hospital has been open not over seven months, its holdings in land and cattle are worth nearly one thousand pesos in gold; and it will increase greatly, for as the Indians have recently come into the Faith they give alms generously.[117]

It is unlikely that these donations to the almshouse were as voluntary as they were described by Motolinía. Religious orders often listed the tributes they extracted from Indigenous populations, or the payment they received for marriages and other services, as *limosnas*. We know that Indigenous people resisted the imperial Indian hospitals project and resented paying for their construction and maintenance. It was beneficial for the construction of the colonial order if the redistribution of Indigenous goods could be classed as generosity and charity.

In summary, sixteenth-century theories of sovereignty were informed by paternalistic concepts of protection and welfare and notions of distributive justice, and this shaped the way in which the Spanish Crown constructed its claim to sovereignty in the New World and constructed a relationship between Crown and subjects across imperial distances. During the sixteenth century, concepts and practices of distributive justice and welfare, of who should be provided for and in what way, were changing. They were changing as a result of new theories of the state, institutions, and socio-economic order advanced by the scholars, theologians, and policy makers introduced in the earlier chapters. They were also changing as a result of the dialogues between Indigenous, Africans, Europeans, and their descendants—people brought together by the newly emerging imperial society. This points to the negotiated nature of sovereignty in the Spanish Empire. This was facilitated by the constitutional landscape and the fluid relationship between public and private capital conditioned the form of the moral-political economy.

While laws and institutions were an important part of the moral-political economy of the Spanish Empire, facilitating the construction of moral-political

[117] Ibid., 155.

communities, the market was also conceptualised as existing inside this world. There were changing notions of the role of the market in distributing goods and how it should be regulated that developed from medieval discussions on the morality of markets. Market regulation was not expected to produce equality but to regulate distributions across the newly emerging imperial inequalities. These moral-political economic discourses contributed to the intellectual foundations of colonial capitalism.

Many scholars have looked to understand what characterised the great transformation taking place in the sixteenth century through the opening of the transatlantic, and later transpacific, worlds. Brian Owensby argued that 'this transformation involved unleashing self-interested material pursuit at the core of human affairs'.[118] David Graeber also pointed to the importance of the profit motivation in creating the colonial context, arguing that the particular way in which the conquistadores were indebted made it inevitable that pursuit of profit became the early motivator for European empires.[119] The pursuit of profit was part of a broader moral-political economy shaping the imperial world in the sixteenth century that also considered how society's poor should be provided for as colonial subjects via institutions and the market. The moral-religious discourses of poverty, charity, generosity, sin, and greed shaped the contours of the moral, political, and socio-economic practices of the emerging imperial order. The colonial encounter was not defined so much by a profit-driven economy supplanting more reciprocal economic practices as by the production of a new moral economy, in dialogue with the old that incorporated economic practices that could produce both wealth and poverty and moral practices to mediate the position of the rich and poor and maintain social order.

Empire of Poverty: The Moral-Political Economy of the Spanish Empire. Julia McClure, Oxford University Press.
© Julia McClure 2024. DOI: 10.1093/9780198933908.003.0007

[118] Brian P. Owensby, *New World of Gain: Europeans, Guaraní, and the Global Origins of Modern Economy* (Stanford, CA: Stanford University Press, 2022), 1.
[119] Graeber, *Debt: The First 5,000 Years*, 320.

Conclusion

The long political history of poverty and the making of imperial inequalities

Poverty has always been political. This book has aimed to show how the concept of poverty was fundamental not only to the emergence of states but also global empires and their inequalities. Moral-political concepts of poverty helped build the modern world. New ways of governing the poor helped shape the emergence of the institutional and legislative landscapes that were part of the development of states and empires. Paternalistic notions of power and status-based distributive justice shaped articulations of sovereignty and corresponding political economies of taxation and welfare. These same notions created the legal pathways connecting Crown and subjects through petitioning, and the moral economic language of poverty, which enabled the different people of empire—African, American, Asian, European, and the descendants of their partnerships—to participate in conversations about the distribution of imperial resources and the shape of law and politics. Moral, economic, political, and legal concepts of poverty were used to construct Indigenous people as colonial subjects. Moral-political concepts of deserving and undeserving poor helped lay the foundations of the emerging socio-economic inequalities of the emerging imperial world order. At the same time, people from across the status groups of colonial society used this moral economic language of poverty in their negotiations with and resistance to empire. The expansion of the Spanish Empire went hand in hand with the development of a new moral economy, incorporating laws, institutions, and the market, through which Crown and subjects tried to negotiate the distribution of economic resources and their moral implications. This has indicated the ways in which sovereignty was negotiated across different status groups and provided insights into the pixelated nature of sovereignty in the Spanish Empire.

This book aimed to generate new understandings of the conjoined processes of the remaking of poverty and imperial state formation, focusing on the Spanish Empire in the long sixteenth century. Many imperial histories have focused on the British Empire and have often been implicitly (and sometimes explicitly) underpinned by the Weberian narrative that the imperial expansion and economic growth of Britain were driven by Protestant ideas and secularisation. Focusing on discourses of poverty in Southern Europe contributes to the erosion of the foundations of the Weberian position by showing that there were

transformations in the moral-political landscape in both Northern and Southern Europe in the sixteenth century that resulted in institutional and legislative diversifications. The history of the laws and institutions for providing for and governing the poor that result from these moral-political reforms frustrates normative histories of secularisation and points to a more complex pathway to state and empire formation that strategically incorporated moral and religious dimensions. The resulting history is not simply a history of how states and empires increased their biopower through increased governance of the poor but rather how the intellectual architects of imperial states helped reinvent poverty and the poor as a way to articulate more expansive claims to sovereignty and forms of governance. This early modern reinvention of poverty laid the foundations for the inequalities of the emerging colonial world order. In the Spanish Empire, moral-political concepts of poverty were mobilised to divide the poor into distinct status groups, using the moral criteria of deserving and undeserving poor to help develop proto-racial hierarchies of imperial subjects. This was not an exclusively top-down practice; instead people from across different social groups actively interacted with the legal and institutional frameworks of empire to negotiate resources and autonomies.

Since the eighteenth century, classical political economists used the Spanish Empire to imagine the paradox of an empire of poverty, economically poor not only in spite of but because of its wealth, due to poor political governance and institutions. This imagined paradox has often been taken as the starting point for classical liberal economic theories of economic development and echoed in the work of some New Institutional Economists. Poverty has often been assumed to be an unambiguous economic condition that can be recognised and accounted for across different times and spaces. The moral-political history of how this imagined landscape of poverty and wealth arose has been missing. The idea that the Spanish Empire was especially poor economically as a result of particular political economic policies was not invented by classical liberal economic theorists but had been developed by Spain's own moral-political economic commentators, the *arbitristas*, from the late sixteenth century. In thinking about the moral value of labour, currency, and exchange, these scholars helped to lay the moral foundations of modern economics as well as the empire of poverty paradox that was later developed by classical political economists.

Spain's *arbitristas* articulated anxieties about how empire was creating new forms of moral and economic poverty, but this developed out of long-standing intellectual traditions. The *arbitristas* were part of a rich intellectual context of scholars, theologians, and policy makers reflecting on the moral, religious, political, and economic meaning of poverty, its causes, and the place and treatment of the poor. From the thirteenth century Scholastics and other intellectuals from the mendicant orders had thought about the principle of distributive justice in relation to exchange, the moral value of different forms of both poverty and wealth,

and strategies for mitigating residual immorality through penance and charity, and in doing so laid the moral foundations of market economics as a system that could accommodate the coexistence of rich and poor.

This book has pointed to a history in which the moral, political, and economic realms cannot be separated. It has shown how changing moral beliefs informed political and economic practices. The history of the birth of modernity and the liberal, and later neoliberal, regime has been understood as the history of the separation of the moral and economic spheres. Recently, authors such as Jessica Whyte have problematised this and argued that modern economics are still orientated by moral beliefs and the effacement of this is part of the logic of neoliberalism.[1] *Empire of Poverty* has pointed to the history of the connections between moral, political, and economic concepts and institutions that are part of the deep structures of states, empires, and their regimes of inequality. Economic systems characterised by markets did not emerge by succeeding economic systems based on moral norms and reciprocity; rather the evolution of moral norms in the global imperial context helped build the socio-economic order that resulted from the development of colonial capitalism in the sixteenth century.

The moral-political economic institutions, laws, and practices, including market regulations, helped the world of colonial capitalism and its inequalities into being. The moral-political economy of empires provided a framework for the management and redistribution of goods and labour in ways that created and maintained inequalities but were seen as justifiable. Denunciations of immoral extractions of labour or distributions of goods had to be investigated, often resulting in pragmatic solutions that did not end inequalities but made them morally embedded.

Moral-political concepts of poverty were building blocks for the empires and the imperial inequalities that proliferated around the world from the sixteenth century. In the case of the Spanish Empire, the Crown's moral-political obligations to protect and provide for the poor and weak formed the basis of articulations of sovereignty and patterns of political economy in the Iberian Peninsula and beyond. Poor relief reforms arising from moral, political, and economic debates enabled the Crown to extend new laws and institutions to govern populations in the name of care as well as police people classed as vagrants. New moral debates differentiating the deserving and undeserving poor helped develop political notions of citizenship and social deviance as well as a proto-racial framework for new imperial inequalities. Indigenous Americans were constructed as poor in moral and legal terms as part of their reinvention as colonial subjects. Many Indigenous Americans actively co-opted this construct, describing themselves as '*pobres indios*' to negotiate resources. Nomadic groups, such as the '*Chichimeca*',

[1] See Jessica Whyte, *The Morals of the Market: Human Rights and the Rise of Neoliberalism* (London and New York: Verso, 2019).

and people with itinerant lifestyles risked being classed as vagrants, the undeserving poor, and subjected to penal labour. The figure of San Benito, and the way it was used in Black confraternities, shows how Black people could engage with the moral-political economy of the Spanish Empire to navigate away from positions of undeserving to deserving poor and gain status in imperial society.

New forms of social inequality emerged with colonialism.[2] The colonial process created new categories of social identity: *negro/a, blanco/a, indio/a, mestizo/a, mulatto/a*. Moral concepts of poverty helped create these categories and locate them within a hierarchical proto-racial social schema. Spaniards were supposed to be rich while Indigenous people were conceptualised as poor. Black people were also conceptualised as poor, albeit in a different way to Indigenous people. Moral differentiations of deserving and undeserving poor were used to identify and police deviance across social groups. The paternalistic framework and moral judgements of women helped to inscribe new forms of gender inequality in the Spanish Empire, although women could also use the legal channels of petitioning as well as practices and institutions of charity to negotiate positions of relative autonomy in empire.[3] The moral and spiritual economy of penance and the penitential institutions of confraternities helped people negotiate moral criteria to improve their socio-economic position, just as people could use the moral discourse of poverty in petitions to negotiate resources. In the eighteenth century, the *casta* paintings tried to articulate an imperial social hierarchy linking race and class.[4] These *casta* paintings have been recognised as more aspirational than a reflection of the socio-economic order of imperial society, which was of course more complex and mutable.[5] By extending analysis back to the sixteenth century, we have seen the real roles that concepts of poverty played in both imagining and creating imperial inequalities.

Changing concepts of poverty continued to contribute to the development of colonial society in the eighteenth century in the period of Bourbon reforms (1759–1808), and transformed further in the nineteenth century with the end of the Spanish Empire and emergence of independent liberal nation states across Latin America. Focusing on the transformations taking place in eighteenth-century Ecuador, Cynthia Milton argues that 'as a colonial order

[2] This book has focused more on the emergence of social than economic inequalities. While economic inequalities were created with colonialism, the emergence of liberalism and later neoliberalism in the Americas played a bigger role in the creation of the economic inequality that exists in Latin America today; see Rafael Dobado González and Hector Garcia Montero, 'Colonial Origins of Inequality in Hispanic America? Some Reflections Based on New Empirical Evidence', *Revista de Historia Económica*, 28: 2 (2010), 253–77.

[3] For example, see Brianna Leavitt-Alcántara, *Alone at the Altar: Single Women and Devotion in Guatemala, 1670–1870* (Stanford, CA: Stanford University Press, 2018).

[4] See S. Deans-Smith, 'Creating the Colonial Subject: Casta Paintings, Collectors, and Critics in Eighteenth-Century Mexico and Spain', *Colonial Latin American Review*, 14: 2 (2005), 169–204.

[5] See Earle, Rebecca, 'The Pleasures of Taxonomy: Casta Paintings, Classification, and Colonialism', *William and Mary Quarterly*, 73: 3 (2016), 427–67.

based on socio-racial difference weakened, colonial categories of poverty (of the deserving and undeserving poor, and of the economic and social poor) bled into each other, and so too did the bounded meanings of poverty and their social compacts'.[6] From the perspective of *Empire of Poverty* and its focus on imperial state formation in the long sixteenth century, this is unsurprising, since here we see that moral poverty categories were foundational for the emerging socio-racial hierarchies of empire. Changing concepts of poverty were building blocks of the colonial world order, and poverty, in varying forms, endured as a global structure.

The way in which the Spanish Empire used moral notions of deserving and undeserving poor to develop a framework of social inequality that helped create economic inequalities was not unique but rather points to one of the ways in which imperial inequalities emerged and were reproduced. In *Race and the Undeserving Poor*, Robbie Shilliam demonstrated how notions of deserving and undeserving poor were used to construct racial inequalities for the post-colonial world, with the blackening of morally underserving poor and the whitening of a morally deserving working class.[7] Empire of Poverty has shown that moral notions of the deserving and undeserving poor were not only used to create and police inequalities at the end of empire but also at its beginning. Religious, moral, and legal notions of poverty helped Europeans invent Indigenous people as colonial subjects while moral notions of the deserving and undeserving poor were used to distinguish and govern colonial society. Indigenous Americans were constructed as poor through imperial political discourses and laws.

In the long sixteenth century, colonists described Indigenous people as poor at the same time that they benefited from the abundance of the communities who had not yet been uprooted by colonialism, as well as the strategies of resistance of people who had. For example, on his journey across Central America at the end of the sixteenth century, the Franciscan friar Antonio de Ciudad Real (1551–1617) repeatedly described the abundance of Indigenous communities, their plentiful water supplies, and fertile *milpa*.[8] As he travelled from Chiapas to Guatemala, he wrote that he said mass to a group of Indigenous people 'and they with their poverty gave him lunch and dinner and salt to preserve a veal that a black farmer who came to hear mass offered him for that uneven road that he had to cross'.[9] The same colonists that received hospitality from the abundant agro-ecological

[6] Cynthia E. Milton, *The Many Meanings of Poverty: Colonialism, Social Compacts, and Assistance in Eighteenth-Century Ecuador* (Stanford, CA: Stanford University Press, 2007), 11.

[7] During the process of the abolition of slavery, newly free Black people were imagined as the undeserving poor and depicted as immoral, while in Britain the notion of a 'white working class' that was morally deserving of welfare was constructed. See Robbie Shilliam, *Race and the Undeserving Poor: From Abolition to Brexit* (Newcastle: Agenda Publishing, 2018).

[8] Antonio de Ciudad Real, *Tratado Curioso y Docto de las Grandezas de la Nueva España*, ed. Josefina García Quintana y Víctor M. Castillo Farreras (Mexico DF, UNAM, 1976), 2 vols, for example vol. 1, 166, but frequently described.

[9] Antonio de Ciudad Real, *Tratado Curioso y Docto de las Grandezas de la Nueva España*, vol. I, 183–4.

systems of Indigenous people and Afro-descendants in the Americas as they journeyed across their lands described these people as poor. On his journey through Chiapas to Guatemala, Antonio de Ciudad Real passed through part of the Lacandon jungle, a region of particular biocultural diversity that was able to defend its abundant communities for longer than many during the ongoing process of European colonisation.[10] In the twentieth century, the region became the site of renewed struggles against capitalism and neocolonialism and of attempts to rebuild Indigenous abundance and sovereignty.

Half a century after the arrival of the first Europeans in the Americas, Marxist rebels from different regions in Mexico allied with certain Indigenous people in Chiapas to form the Zapatista Army of National Liberation (*Ejército Zapatista de Liberación Nacional*, EZLN), and denounced the ways in which their people have been impoverished from colonialism, through the Wars of Independence, to the present day. In the 'First Declaration from the Lacandon Jungle', the Zapatistas denounced: 'We ["poor men"] have been denied the most elemental preparation so they can use us as cannon fodder and pillage the wealth of our country.'[11] The Zapatistas identified colonialism, capitalism, foreign interference, and the failures to realise land reforms, as the causes of poverty in Mexico, and used this to justify their claim to independent territories where communities could democratically elect their own officials.

Despite resistance, the Indigenous people of the Americas continued to be invented as poor. In 1994 the World Bank proclaimed that 'being of Indigenous origin goes hand in hand with poverty'.[12] The idea that Indigenous people are naturally poor has been used to subject Indigenous people to a range of development and, more recently, sustainable development policies. The American-Colombian anthropologist Arturo Escobar has critiqued the ethnocentrism of development and the way in which discourses of development have depicted people living in in the Global South as backward, writing that 'representations of Asia, Africa, and Latin America as Third World and underdeveloped are heirs of an illustrious genealogy of Western conceptions about those parts of the world'.[13] Many of these development policies have perpetuated the logic of colonial capitalism rather than looking at the ways in which colonial capitalism created poverty in the Americas, or looking to decolonise the ideological association of poverty with indigeneity and colonial subjectivity.

[10] For more on this, see Jan de Vos, *La Paz de Dios y del Rey: La Conquista de la Selva Lacandona, 1525–1821* (Mexico DF: Fondo de Cultura Económica, 1980).

[11] 'Primera Declaración de la Selva Lacandona', https://enlacezapatista.ezln.org.mx/1994/01/01/primera-declaracion-de-la-selva-lacandona/ (accessed 22 September 2023).

[12] George Psacharopoulos and Harry Anthony Patrinos, 'Indigenous People and Poverty in Latin America' (Washington, DC: The World Bank, 1994), http://documents.worldbank.org/curated/en/541051468757195444/Indigenous-people-and-poverty-in-Latin-America-an-empirical-analysis, xiii.

[13] Arturo Escobar, *Encountering Development: The Making and Unmaking of the Third World* (Princeton, NJ: Princeton University Press, 2012), 7.

Deeper understandings of Indigenous and Afro-Indigenous histories and epistemologies in all their diversity are central to this future project of decolonisation and decapitalisation. Writing from the context of the Northern Americas, Nishnaabeg scholar Leanne Betasamosake Simpson sets out a strategy for Indigenous resistance based upon the values of her community, writing:

> my Ancestors didn't accumulate capital, they accumulated networks of meaningful, deep, fluid, intimate collective and individual relationships of trust. In times of hardship we did not rely to any great degree on accumulated capital or individualism but on the strength of our relationships with others.[14]

This is an example of the Indigenous value systems that colonial capitalism tried to erase through the classification of Indigenous people as poor.

Who is labelled as poor? According to what criteria? By whom? In the last centuries, there has been a distinct aesthetic of poverty, informed by the commodities culture of capitalism. People without shoes, walking barefoot, wearing clothes not industrially produced, building with local materials rather than modern building materials like cement, are likely to be classed as poor. Many of these people may be experiencing the material deprivations and lack of autonomy caused by the degradation of colonial capitalism, but the way in which they are identified as poor is typically part of a moral-political schema that is used to justify the imposition of particular solutions for managing poverty. The modernising forces of economic growth, industry, and markets, are often introduced as proposed solutions to the problem of poverty, disregarding the fact that these solutions may have created the problems to begin with.

As the planet struggles to face the climate collapse resulting from the expansion of the colonial capitalist world system with its overproduction and overconsumption, Indigenous poverty is being invented again as a morally virtuous antidote to the sins of old. Indigenous people have been represented in terms of the ecologically 'noble savage',[15] and subjected to new forms of extractivism by Western researchers in pursuit of Traditional Ecological Knowledge (TEK). Researchers may instead benefit from considering how moralising concepts of poverty helped create colonial capitalism and establish and govern the imperial inequalities that have defined the modern world system.

Empire of Poverty set out to tell a history of the mutable moral and political concepts of poverty and the complex relationships between moral and political concepts of poverty and material conditions. Poverty is often represented

[14] Leanne Betasamosake Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resistance* (Minneapolis and London: University of Minnesota Press, 2017), 77.

[15] Discussed in Patrick Roberts, *Tropical Forests in Prehistory, History, and Modernity* (Oxford: Oxford University Press, 2019), 194.

as a timeless economic condition, but it is poorly understood. Poverty has often been depicted as the residue of historical action, the natural or man-made consequences of famine and war, yet poverty is produced and reproduced for particular ends. As European thinkers established the paradox that the Spanish Empire tapped untold wealth in the New World but ended up poor as a lesson for the proper political economy of future empires, a bigger paradox was being created and obscured: that Indigenous peoples who had abundant natural resources and rich societies were the poor people of the world, and the people extracting their labour and resources and creating new forms of economic poverty were bound to them through the moral obligations of charity. The emergence of colonial capitalism not only constructed colonised people as poor in moral-political rhetorical and legal terms but corresponded to new forms of economic poverty experienced through increased landlessness, indebtedness, and the appropriation of labour and other resources, all of which had complex social and environmental consequences. Yet colonised peoples were often able to work both within and beyond the moral-political economic frameworks of empire to resist and maintain their moral-economic ecologies.

In today's world, political concepts of poverty are used to govern the world's populations through the legal-political apparatus of states and transnational institutions like the World Bank and the International Monetary Fund. At the same time, poverty is represented as simply an economic condition to be remedied, often through the same legal and institutional systems that have created it. *Empire of Poverty* has aimed to show the importance of interrogating the discourses, laws, and institutions associated with poverty and the poor to understand the ways in which moral beliefs about poverty help create poverty and the management of the poor as a political project as well as the socio-economic conditions of poverty. Finally, poverty has never been and will never be a great leveller that can be experienced equally across different people in different times and places; rather moral concepts of poverty are the building blocks to create and harmonise the world's inequalities.

Empire of Poverty: The Moral-Political Economy of the Spanish Empire. Julia McClure, Oxford University Press.
© Julia McClure 2024. DOI: 10.1093/9780198933908.003.0008

Glossary

Alguacil variously translated as sheriff, bailiff, or constable

Almojarifazgo customs duties

Alcabala sales tax

Altepetl city state in Nahuatl

Amparo protection

Audiencia royal court

Aztec the Nahuatl-derived term used to refer to the post-classic Mesoamerican culture of Central Mexico, which incorporated different ethnic groups

Aztec Empire the dominant geopolitical unit in Central Mexico, made up of city states known as the Triple Alliance. While the term Mexica, the name of the dominant ethnic group, is now often used, here I use the familiar term Aztec to reflect the more polyethnic cultural and political unit

Cacique (fem. Cacicas) Taíno word for lord that became used for Indigenous elites across the Americas

Calpolli (or Calpulli, singular calpul) Nahuatl word for neighbourhood

Casa de Contratación House of Trade

Cédula Real Royal Decree

Charles V Charles of Habsburg was I of Spain, and became V of the Holy Roman Empire, when he was elected in 1520. In this book I will refer to him as Charles V, as he is most commonly known

Chichimeca Nahuatl term used to describe the different nomadic and semi-nomadic groups of Northern Mesoamerica, later used by the Spanish

Corregidores district governors

Cortes local parliaments of representatives established in some municipalities in the Iberian Peninsula in the Middle Ages

Maya broad term for the people of different social groups in Southern Mesoamerica that had been part of the Maya civilisation (today in Mexico, Guatemala, Belize, El Salvador, and Honduras). The word Mayan is used only to refer to the broader language group

Mercedes grant, reward

Mestizo (fem. Mestiza) used in the Spanish Empire to refer to someone of mixed Spanish and Indigenous American heritage

Mexica the ethnically Nahua, Nahuatl-speaking, people of Central Mexico, who were dominant in what became known as the Aztec Empire

Mulatto (fem. Mullata) used in the Spanish Empire to refer to someone of mixed Spanish and African heritage

Nahuatl the language of the Mexica, also a lingua franca in Mesoamerica

Oidores judges (or magistrates)

Personas miserables wretched ones, a legal category, used to designate people as part of a particular social group

Procuradores legal representatives

Real Supremo Consejo de las Indias Council of the Indies

Bibliography

Archives

Archivo General de la Nación de Mexico
Archivo General de la Nación de Colombia
Archivo General de Indias

Unpublished Sources Including Manuscripts, Early Printed Books (before 1900), and Websites

Alston, Philip, 'Report of the Special Rapporteur on Extreme Poverty and Human Rights, Advance Unedited Version', A/HRC/44/40, July 2020, UN (accessed 17 May 2022).

Caxa de Leruela, Miguel, *Discurso sobre la principal causa y reparo de la necessidad comun, carestia general y despoblación destos Reynos* (1632), Biblioteca Nacional de España (BNE), VE/53/80.

Campanella, Tommaso, *De Monarchia Hispanica* (Frankfurt, 1709), Glasgow University Library, Sp Coll BC3-k.16.

Colección de documentos inéditos relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas. 42 vols, ed., Pacheco, Cárdenas and Mendoza (Madrid: Manuel G. Hernandez, 1879).

Danvila y Collado ed., *Historia crítica y documentada de las comunidades de Castilla*, 6 vols. MHE, 35–40 (Madrid: MHE, 1897–1900).

Dresden Codex, University Library of Dresden and available through the Library of Congress https://www.loc.gov/item/2021667917/.

Durán Codex, Biblioteca Nacional de Madrid, bdh0000169486.

Fejérváry-Mayer Codex, National Museums Liverpool, M12014.

Fernández de Navarette, Martín, *Colección de los viages y descubrimientos que hicieron por mar los españoles desde fines del siglo XV: con varios documentos inéditos concernientes á la historia de la Marina castellana y de los establecimientos españoles en Indias*, vol. II (Madrid: Imprenta Real, 1825).

Historia de Tlaxcala, University of Glasgow Special Collections, MS Hunter 242.

Huexotzinco Codex. Huexotzinco, Mexico, 1521. Manuscript/Mixed Material. Retrieved from the Library of Congress, www.loc.gov/item/mss47662-2657/.

Kingsborough Codex (Códice de Tepetlaoztoc), British Museum, Add. Ms. 13964.

Las Siete Partidas del sabio rey don Alfonso el IX [=X], with the gloss of Gregorio Lopez, vol. I, ed. Ignacio Sanponts y Barba, Ramon Marti de Eixala, and José Ferrer y Subirana (Barcelona: Antonio Bergnes, 1843).

Molina, A. de, *Vocabulario en Lengua Castellana y Mexicana* (Mexico: en casa de Antonio de Spinolo, 1571).

Novísima recopilación de las leyes de España, dividida en XII libros, en que se reforma la Recopilación publicada por el Señor Don Felip II. En el año de 1567, reimpresa últimamente en el de 1775: Y se incorporan las pragmáticas, cédulas, decretos, órdenes y resoluciones Reales, y otras providencias no recopiladas y expedidas has el de 1804 (Madrid, 1805).

Oviedo, Fernandez de, *Historia General de las Indias* (Madrid: Real Academia de la Historia, 1851–52).

Oviedo, Fernandez de, *Historia General de las Indias* (Madrid: Ediciones Atlas, 1959).

Prescot, William H., *History of the Reign of Philip the Second, king of Spain*, vol. II (Boston: Phillips, Sampson, 1856).

'Primera Declaración de la Selva Lacandona', https://enlacezapatista.ezln.org.mx/1994/01/01/primera-declaracion-de-la-selva-lacandona/ (accessed 22 September 2023).
Psacharopoulos, George and Harry Anthony Patrinos, 'Indigenous People and Poverty in Latin America' (Washington, DC: The World Bank, 1994), http://documents.worldbank.org/curated/en/541051468757195444/Indigenous-people-and-poverty-in-Latin-America-an-empirical-analysis.
Tovar Codex, John Carter Brown Library, Manuscripts Codex Ind 2.
Recopilación de Leyes de las Indias, mandada imprimir y publicar por Carlos II (Madrid, 1841).
Reglamento de la fundacion, y establecimiento del Monte de Piedad, que se instituye para socorro de las Viudas de Oficiales Militares (Madrid: Imprenta D. Gabriel Ramirez, Madrid, 1761).
Relaciones Geográficas of Mexico and Guatemala, 1577–1585, Nettie Lee Benson Latin American Collection, University of Texas at Austin [WWW document]. URL https://utlibrariesbenson.omeka.net/items/show/33 (accessed 24 April 2021).
Sánchez Galque, Andres, *The Mulattos of Esmeraldas* (Madrid: Museum of America, 1599).
Sandoval, Prudencio de, ed., *Historia del Emperador Carlos V, rey de España*, vol. II (Madrid: P. Madoz y L. Sagasti, 1846).
Solórzano Pereira, Juan de, *Política Indiana* (Madrid: printed by Matheo Sacristan, 1736).
Tenochtitlan Map, 1521, retrieved from the Library of Congress https://www.loc.gov/item/2021668313/. Original held in the Uppsala University Library.
UK Parliament 'Enclosing the Land', https://www.parliament.uk/about/living-heritage/transformingsociety/towncountry/landscape/overview/enclosingland/.
William H. Prescott, *History of the Reign of Philip the Second, King of Spain*, vol. II (Boston: Phillips, Sampson 1856).
Xolotl Codex, Bibliothèque Nationale de France, Manuscripts, Mexicain 1–10; https://gallica.bnf.fr/ark:/12148/btv1b10303816n (accessed 8 March 2024).
Zuñiga, Órtiz de *Anales eclesiásticos y seculares de ciudad de Sevilla* (Madrid, Imprenta Real, 1776).

Published Primary Works

Acosta, *Natural and Moral History of the Indies*, ed. and intro. Walter Mignolo, trans. Frances López-Morillas (Durham, NC: Duke University Press, 2002).
Alva Ixtlilxochitl, Fernando de, *Historia de la nación chichimeca* (Madrid: Historia 16, 1985).
Aristotle, *Nichomachean Ethics*, trans. David Ross (Oxford: Oxford University Press, 2009).
Azpilcueta, Martín de, *Commentary on the Resolution of Money* (2007) (the original edition is from 1556) in Stephen J. Grabill ed., *Sourcebook in Late-Scholastic Monetary Theory* (Lanham: Lexington Books, 2007), 18–107.
Botero, Giovanni, *The Reason of State*, ed. and trans. Robert Birlely (Cambridge: Cambridge University Press, 2017).
Campanella, Tommaso, *La Città del Sol: Dialog Poetico* (*The City of the Sun: A Poetical Dialogue*), ed., trans., and intro Daniel J. Donno (Berkeley: University of California Press, 1981).
Castrillo, Alonso de, *Tratado de República con otras historias y antigüedades* (Madrid: Centro de Estudios Políticos y Constitucionales, 2021).
Chimalpahin Quauhtlehuanitzin and Domingo de San Anton Munon, *Codex Chimalpahin, Society and Politics in Mexico Tenochtitlan, Tlatelolco, Texcoco, Culhuacan, and Other Nahua Altepetl in Central Mexico*, vol. 1, trans. and ed. Arthur J. O. Anderson, and Susan Schroeder (Norman, OK: University of Oklahoma Press, 2016).
City of Ypres, 'Forma Subventionis Pauperum (1531)', trans. William Marshall (1535) and Paul Spicker, in Paul Spicker ed., *The Origins of Modern Welfare, Juan Luis Vives, De Subventione Pauperum and City of Ypres, Forma Subventionis Paperum* (Bern: Peter Lang, 2010), 101–40.
Ciudad Real, Antonio de, *Tratado Curioso y Docto de las Grandezas de la Nueva España*, ed. Josefina García Quintana y Víctor M. Casillo Farreras (Mexico DF: UNAM, 1976).
Codex Xólotl, ed. Charles E. Dibble (Mexico DF: Universidad Nacional Autónoma de México, Instituto de Investigaciones Históricas, 1980).

Columbus, Christopher and Markham Clements R., eds, *The Journal of Christopher Columbus (during His First Voyage, 1492–93) and Documents Relating to the Voyages of John Cabot and Gaspar Corte Real* (Cambridge: Cambridge University Press, online edition 2010, first published in 1893).
Cortés, Hernán, *Hernán Cortés: Letters from Mexico*, ed. Anthony Pagden (New Haven: Yale University Press, 1986).
Davenport, Frances Gardiner, ed., *European Treaties bearing on the History of the United States and Its Dependencies to 1648* (Washington, DC: Carnegie Institute of Washington, 1917).
de Landa, Diego, *Relación de las cosas de Yucatán*, ed. Miguel Rivera Dorado (Madrid: Alianza Editorial, 2017).
de Robles, 'De la Orden Que en Algunos Pueblos de España se ha Puesto en la Limosna, Para Remedio de los Verdaderos Pobres' (Salamanca, 20 de marzo de 1545), in Félix Santolaria Sierra ed., *El Gran Debate Sobre Los Pobres en el Siglo XVI* (Barcelona: Ariel, 2003), 117–98.
de Soto, *Tratado de la Justicia y El Derecho* (Madrid: Editorial Reus (S.A.), 1922).
de Soto, *Deliberación en la Causa de los Pobres*, Salamanca, 30 de enero de 1545, in Félix Santolaria Sierra ed., *El Gran Debate Sobre Los Pobres en el Siglo XVI* (Barcelona: Ariel, 2003).
Bernal Díaz del Castillo, *The True History of the Conquest of New Spain*, ed. Genero García, trans. Alfred Percival Maudslay (Cambridge: Cambridge University Press, 2013 (first published 1908)).
Durán, Diego, *The History of the Indies of New Spain*, ed. and trans. Doris Heyden and Fernando Horcasitas (Norman: University of Oklahoma Press, 1994).
Dyson, R. W., ed., *St Thomas Aquinas Political Writings* (Cambridge: Cambridge University Press, 2002).
Giginta, Miguel de, *Tratado de remedio de pobres* (Barcelona: Editorial Ariel, 2000).
Giménez Fernández, ed., M., *Nuevas Consideraciones sobre la historia, sentido y valor de las bulas Alejandrinas de 1493 referentes a las Indias* (Seville: Universidad de Sevilla, 1944).
Grabill, Stephen J., ed., *Sourcebook in Late-Scholastic Monetary Theory* (Lanham: Lexington Books, 2007).
Grotius, Hugo, *On the Law of War and Peace, Student Edition*, ed. Stephen C. Neff (Cambridge: Cambridge University Press, 2012).
Guaman Poma de Ayala, Felipe, *The First New Chronicle and Good Government* (abridged), ed. and trans. David Frye (Cambridge: Hackett, 2006).
Henry of Ghent, *Quodlibetal Questions on Moral Problems*, ed. and trans. R. J. Tieske (Milwuakee, WIS: Marquette University Press, 2005).
Hobbes, Thomas, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 2004).
Las Casas, Bartolomé de, *Obras de D. Bartolomé de Las Casas*, vol. II (Paris, 1822).
Las Casas, Bartolomé de, *Tears of the Indians*, trans. Arthur Helps (Williamstown: Mass, J. Lilburne, 1970).
Las Casas, Bartolomé de, *A Short Account of the Destruction of the Indies*, trans. Nigel Griffen, intro. A. Pagden (London: Penguin, 1992).
Locke, John, *Two Treatises of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1988, reprinted 2002).
Machiavelli, Niccolò, *The Prince*, ed. Quentin Skinner (Cambridge: Cambridge University Press, 2019).
Malthus, Thomas, *An Essay on the Principle of Population (1798)* (London: Penguin, 2015).
Mariana, Juan de, *Del Rey y de la Institución Real* (Barcelona: Editorial Planeta, S.A., 2018).
Martyr d'Anghiera, Peter, *De Orbe Novo, the Eight Decades of Peter Martyr d'Anghera*, ed. Francis August MacNutt (London and New York: G. P. Putnam's Sons, 1912).
Marx, Karl, *Grundrisse, Foundations of the Critique of Political Economy (Rough Draft)*, trans. Martin Nicolaus (London: Penguin, 1993).
Marx, Karl, *Capital: A Critical Analysis of Capitalist Production* (Ware, Hertfordshire: Wordsworth Editions Limited, 2013).
More, Thomas, *Utopia*, ed. George M. Logan, trans. Robert M. Adams (Cambridge, Cambridge University Press, 2016, 3rd edn).

Motolinía, Toribio de, *History of the Indians of New Spain*, ed. and trans. Elizabeth Foster (Westport, Conn: Greenwood Press, 1973).
Navarrete, Fernández de, *Colección de documentos inéditos para la historia de España*, vol. 1 (Madrid: Imprenta de la viuda de calero, 1842).
Recopilación de leyes de los reinos de las Indias (Compilation of the Laws of the Kingdoms of the Indies), 4 vols (Madrid: Cultura Hispánica, 1973).
Rousseau, Jean-Jacques, *Discourse on the Origin and Foundations of Inequality among Men or Second Discourse*, ed. Victor Gourevitch (Cambridge: Cambridge University Press, 2021).
Sahagún, Bernardino de, *Historia General, Book IX, de los mercaderes y oficiales de oro, piedras preciosas, plumas ricas* (Mexico: Porrúa, 1956).
Sahagún, Bernardino de, *Historia general de las cosas de Nueva España*, vol. 1 (Mexico DF: Editorial Porrua, 1956).
Sahagún, Bernardino de, *Florentine Codex, General History of the Things of New Spain*, vol. 6, *Rhetoric and Moral Philosophy*, translated from the Aztec into English, with notes by Charles E. Dibble and Arthur J. O. Anderson (Santa Fe, NM: University of Utah, 2012).
Salter, F. R., *Some Early Tracts on Poor Relief* (London: Methuen & Co., 1926).
Sandoval, Alonso de, *Treatise on Slavery: Selections from De instauranda Aethiopum salute*, ed. Nicole von Germeten (Indianapolis, IN: Hackett Publishing Company, Inc., 2008).
Serra, Antonio, Sophus A. Reinert, and Jonathan Hunt, *A 'Short Treatise' on the Wealth and Poverty of Nations* (1613) (London and New York: Anthem Press, 2011).
Simpson, Lesley Byrd, *The Encomienda in New Spain: The Beginning of Spanish Mexico* (Berkeley: University of California Press, 1950), ACLS Humanities E-Book XML edition 2008).
Simpson, Lesley Byrd, *The Laws of Burgos of 1513–1513: Royal Ordinance for the Good Government and Treatment of the Indians*, ed., trans, and intro. Lesley Byrd Simpson (San Francisco: John Powell Books, 1960).
Slave Voyages Database, https://www.slavevoyages.org/assessment/estimates (accessed 23 February 2024).
Smith, Adam, *The Wealth of Nations: Books I–III*, (London: Penguin, 1986).
Smith, Adam, *The Wealth of Nations: Books IV–V*, (London: Penguin, 1999).
Vitoria, Francisco de, Anthony Pagden, and Jeremy Lawrance, *Political Writings* (Cambridge: Cambridge University Press, 1991).
Vives, Juan, *On Assistance to the Poor*, ed. and trans. Alice Tobriner (Toronto: University of Toronto Press, 1999).
Vives, Juan de, *De Subventione Pauperum*, trans. Paul Spicker, in Paul Spicker ed., *The Origins of Modern Welfare* (Bern: Peter Lang, 2010), 1–100.
Weber, Max, *The Protestant Ethic and the Spirit of Capitalism*, trans. Talcott Parsons, intro. Anthony Giddens (London and New York: Routledge, 2001, first published by Allen and Unwin 1930).
Zorita, Alonso de, *Relación de los señores de la Nueva España*, ed. Germán Vázquez (Madrid: Historia 16, 1992).

Published Secondary Works

Acemoglu Daron and James A. Robinson, *Why Nations Fail: The Origins of Power, Prosperity and Poverty* (London: Profile Books, 2012).
Adelman, Jeremy, 'Introduction: The Moral Economy, The Careers of a Concept', *Humanity*, 11: 2 (2020), 187–92.
Aiyer, Sri-Ram, 'Foreword', in George Psacharopoulos and Harry Anthony Patrinos eds, *Indigenous People and Poverty in Latin America* (Washington. DC: The World Bank, 1994).
Alcira, Dueñas, *Indians and Mestizos in the 'Lettered City': Reshaping Justice, Social Hierarchy, and Political Culture in Colonial Peru* (Boulder, CO: University Press of Colorado, 2010).
Alfani, Guido and Cormac Ó Gráda, *Famine in European History* (Cambridge: Cambridge University Press, 2017).

Alfani, Guido and Cormac Ó Gráda,'The Economic History of Poverty, 1450–1800', in David Hitchcock and Julia McClure eds, *The Routledge History of Poverty, 1450–1800* (London: Routledge, 2020), 21–38.
Alfani, Guido, and Di Tullio, Matteo, *The Lion's Share, Inequality and the Rise of the Fiscal State in Preindustrial Europe* (Cambridge: Cambridge University Press, 2019).
Allen, Robert C., *Enclosure and the Yeoman: The Agricultural Development of the South Midlands 1450–1850* (Oxford: Oxford University Press, 1992).
Allen, Robert C., 'The Great Divergence in European Wages and Prices from the Middle Ages to the First World War', *Explorations in Economic History*, 38 (2001), 411–47.
Allen, Robert C., 'Progress and Poverty in Early Modern Europe', *Economic History Review*, 56, 3 (2003), 403–43.
Alonso-Lasheras, Diego, *Luis de Molina's De Iustitiae et Iure: Justice as Virtue in an Economic Context* (Leiden: Brill, 2011).
Álvarez-Nogal Carlos and Leandro Prados de la Escora, 'The Rise and Fall of Spain (1270–1850)', *Economic History Review*, 66: 1 (2013), 1–37.
Anawalt, Patricia. 'Costume and Control: Aztec Sumptuary Laws'. *Archaeology*, 33 (1980), 33–43.
Anderson, Clare and Hamish Maxwell-Stewart, 'Convict Labour and the Western Empires, 1415–1954', *The Routledge History of Western Empires* (London: Routledge, 2013), 102–17.
Araya Espinoza, Alejandra, *Ociosos, Vagabundos y Malentretenidos en Chile Colonial* (Santiago, Chile: Dirección de Bibliotecas, Archivos y Museos: LOM Ediciones: Centro de Investigaciones Diego Barros Arana, 1999).
Ard Boone, Rebecca, *Mecurino di Gattinara and the Creation of the Spanish Empire* (London: Pickering & Chatto, 2014).
Avonto, Luigi, 'Documenti sulle indie nuove nellárchivio di mercurino arborio de gattinara, gran cancilliere di carlo V', in Convengno di studi sotorici ed., *Mercurino Arborio di Gattinara, Gran Cancelliere di Carlo V, 450 Anniversario delle morte 1530–1980* (Vercelli: Coi tipi della S.E.T.E, 1982), 219–76.
Azim Islahi, Abdul, *History of Islamic Economic Thought: Contributions of Muslim Scholars to Economic Thought and Analysis* (Cheltenham: Elgar, 2014).
Baeck, Louise, *The Mediterranean Tradition in Economic Thought* (London: Taylor & Francis, 1994).
Baron, Hans, 'Franciscan Poverty and Civic Wealth as Factors in the Rise of Humanistic Thought', *Speculum* 13: 1 (1938), 1–37.
Bashford Alison and Joyce E. Chaplin, *The New Worlds of Thomas Robert Malthus: Rereading the Principle of Population* (Princeton, NJ: Princeton University Press, 2016).
Beaule Christine D. and John G. Douglass, ed., *The Global Spanish Empire: Five Hundred Years of Place Making and Pluralism* (Tucson, AZ: The University of Arizona Press, 2020).
Beckert, Sven, *Empire of Cotton: A Global History* (New York: Alfred A. Knopf, 2014).
Beinart Haim and Yaacov Jeffrey Green, *The Expulsion of the Jews from Spain* (Portland, OR: Littman Library of Jewish Civilization, 2014).
Belmessous, Saliha, ed., *Native Claims: Indigenous Law against Empire, 1500–1920* (Oxford: Oxford University Press, 2012).
Bennett, Herman L., *Colonial Blackness: A History of Afro-Mexico* (Bloomington, IN: Indiana University Press, 2009).
Berdan, Frances, *The Aztecs of Central Mexico: An Imperial Society* (New York; London: Holt, Rinehart & Winston, 1982).
Betasamosake Simpson, Leanne, *As We Have Always Done: Indigenous Freedom through Radical Resistance* (Minneapolis and London: University of Minnesota Press, 2017).
Bhambra, Gurminder and Julia McClure, eds, *Imperial Inequalities: The Politics of Economic Governance across European Empires* (Manchester: Manchester University Press, 2022).
Blank, Andreas, 'Domingo de Soto On Justice to the Poor', *Intellectual History Review*, 25: 2 (2015), 133–46.

Blaut, James M., *The Colonizer's Model of the World: Geographical Diffusionism and Eurocentric History* (New York: Guilford, 1993).
Bonner, Michael, Miner Ener, and Amy Singer eds, *Poverty and Charity in Middle Eastern Contexts* (Albany NY: State University of New York Press, 2003).
Boone, Elizabeth Hill *Cycles of Time and Meaning in the Mexican Books of Fate* (Austin, TX: University of Texas Press, 2007).
Borah, Woodrow, *Justice by Insurance: The General Indian Court of Colonial Mexico and the Legal Aides of the Half-Real* (Berkeley: University of California Press, 1983).
Bouza, Fernando, Pedro Cardim, and Antonio Feros eds, *The Iberian World, 1450–1820* (London: Routledge, 2019), 189–210.
Brandlin, Daniela and Cliff Schexnayder, 'Lessons in Sustainability from the Inca Empire', *Practice Periodical on Structural Design and Construction*, 18: 1 (2013), 52–55.
Braudel, Fernand, *Civilization and Capitalism 15th–18th Century*, vol. 1, *The Structure of Everyday Life* (New York: Harper and Row, 1981).
Braudel, Fernand, *Civilization and Capitalism 15th–18th Century*, 3 vols, trans. Siân Reynolds (London: Collins, 1981–84).
Braudel, Fernand, *The Mediterranean and the Mediterranean World in the Age of Philip II*, vol. 1, trans. Siân Reynolds (Berkeley: University of California Press, 1995).
Braun, Harald, *Juan de Mariana and Early Modern Spanish Political Thought* (Aldershot: Ashgate, 2007).
Braun, Harald, 'Knowledge and Counsel in Giovanni Botero's Ragion di Stato', *Journal of Jesuit Studies*, 4 (2017) 270–89.
Brown, Peter, *Poverty and Leadership in the Later Roman Empire* (Hanover, NH: Brandeis University Press, 2002).
Brown, Peter, *Through the Eye of the Needle* (Princeton, NJ: Princeton University Press, 2021).
Burkhart, Louise, *The Slippery Earth: Nahua-Christian Moral Dialogue in Sixteenth-Century Mexico* (Tucson, AZ: University of Arizona Press, 1989).
Burns, Robert I., ed., *Las Siete Partidas*, vol. 4: *Family, Commerce, and the Sea: The Worlds of Women and Merchants* (Partidas IV and V) (Philadelphia, PA: University of Pennsylvania Press, 2000).
Carmona García and Juan Ignacio, *El extenso mundo de la pobreza: La otra cara de la Sevilla imperial* (Seville: Ayuntamiento de Sevilla, Servicio de Publicaciones, 1993).
Casey, James, *Early Modern Spain: A Social History* (London and New York: Routledge, 1999).
Cavallar, Georg, 'Vitoria, Grotius, Pufendorf, Wolff and Vattel: Accomplices of European Colonialism and Exploitation or True Cosmopolitans?', *Journal of the History of International Law*, 10 (2008), 181–209.
Cavillac, Michel, 'Introduction', in Cristóbal Perez de Herrera ed., *Amparo de Pobres* (Madrid: Espasa-Calpe, S.A., 1975), IX–CXCIII.
Chance, John L., 'The Caciques of Tecali: Class and Ethnic Identity in Late Colonial Mexico', *Hispanic American Historical Review*, 76: 3 (1996), 475–502.
Chase, Arlen F. and Diane Z. Chase, 'Scale and Intensity in Classic Period Maya Agriculture: Terracing and Settlement at the "Garden City" of Caracol, Belize', *Culture & Agriculture*, 20: 2–3 (1998), 60–77.
Clendinnen, Inga, *Aztecs: An Interpretation* (Cambridge: Cambridge University Press, first published 1991, ACLS ebook edition 2014).
Cook, Karoline P., *Forbidden Passages: Muslims and Moriscos in Colonial Spanish America* (Philadelphia, PA: University of Pennsylvania Press, 2016).
Coulthard, Glen, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: MN: University of Minnesota Press, 2014).
Crews, Daniel A., 'Juan de Valdes and the Comunero Revolt: An Essay on Spanish Civic Humanism', *Sixteenth Century Journal*, 33: 2 (1991), 233–52.
Crosby, Alfred, *Ecological Imperialism: The Biological Expansion of Europe, 900–1900* (Cambridge: Cambridge University Press, 1986).
Cruz, Anne J., *Discourses of Poverty: Social Reform and the Picaresque Novel in Early Modern Spain* (Toronto: University of Toronto Press, 1999).

Cruz González, Cristina, 'Visualising Corporate Piety: The Art of Religious Brotherhoods', in John F. Lopez ed., *A Companion to Viceregal Mexico City, 1519–1821* (Leiden: Brill, 2022).
Cruz, Juan, ed., *La Ley Natural Como Fundamento Moral y Jurídico en Domingo de Soto* (Barañáin: Ediciones Universidad de Navarra, S.A. (EUNSA), 2007).
Cushing Flint, Shirley, '*La Sangre Limpiada* of Marina Flores Gutiérrez de la Caballería', *Colonial Latin American Historical Review*, 11: 1 (2002), 35–54.
Cushing Flint, Shirley, *No Mere Shadows: Faces of Widowhood in Early Colonial Mexico* (Albuquerque: University of New Mexico Press, 2013).
Cutter, Charles R., *The Protector of Indios in Colonial New Mexico, 1659–1821* (Albuquerque, NM: University of New Mexico Press, 1986).
D'Altroy, 'Inca Political Organization, Economic Institutions, and Infrastructure', in Sonia Alconini and Alan Covey eds, *The Oxford Handbook of the Incas* (Oxford: Oxford University Press, 2018), 205–26.
Davies, Surekha, *Renaissance Ethnography and the Invention of the Human: New Worlds, Maps and Monsters* (Cambridge: Cambridge University Press, 2016).
Dean, Mitchell, *The Constitution of Poverty: Towards a Genealogy of Liberal Governance* (London: Routledge, 1991).
Deans-Smith, S., 'Creating the Colonial Subject: Casta Paintings, Collectors, and Critics in Eighteenth-Century Mexico and Spain', *Colonial Latin American Review*, 14: 2 (2005), 169–204.
Deaton, Angus, *The Great Escape: Health, Wealth, and the Origins of Inequality* (American Economic Association, 2015).
Decock, Wim, 'Martín de Azpilcueta', in Rafael Domingo and Javier Martínez-Torrón eds, *Great Christian Jurists in Spanish History* (Cambridge: Cambridge University Press, 2018), 116–33.
Decock, Wim, 'Princes and Prices: Regulating the Grain Market in Scholastic Economic Thought', in Jörg Tellkamp ed., *A Companion to Early Modern Spanish Imperial Political and Social Thought* (Leiden: Brill, 2020), 172–96.
Denevan, William M., 'Native American Population in 1492: Recent Research and a Revised Hemispheric Estimate', in William Denevan ed., *Native Population of the Americas in 1492* (Madison: WI: University of Wisconsin Press, 1992, 2nd edn), xvii–xxix.
De Pleijt, Alexandra and Jan Luiten Van Zanden, 'Accounting for the "Little Divergence": What Drove Economic Growth in Pre-Industrial Europe,1300–1800?', *European Review of Economic History*, 20 (2016), 387–409.
De Vito, Christian, *Global Convict Labour* (Leiden: Brill Publishing, 2015).
De Vries, Jan, *European Urbanization, 1500–1800* (Cambridge, MA: Harvard University Press, 1981).
De Vries, Jan, 'The Industrial Revolution and the Industrious Revolution', *Journal of Economic History*, 54: 2, (1994), 249–70.
Díaz, Mónica, '"Legal Pluralism" and the "India Pura" in New Spain: The School of Guadalupe and the Convent of the Company of Mary', in Santa Arias and Raúl Marrero-Fente eds, *Coloniality, Religion, and the Law in the Early Iberian World* (Nashville, TN: Vanderbilt University Press, 2014), 221–40.
Dillard, Heath, 'Women in Reconquest Castile: The Fueros of Sépulveda and Cuenca', in Susan Mosher Stuard and Ruth Mazo Karras eds, *Women in Medieval Society* (Philadelphia, PA: University of Pennsylvania Press, 1976), 71–94.
Dillard, Heath, *Daughters of the Reconquest: Women in Castilian Town Society, 1100–1300* (Cambridge: Cambridge University Press, 1984).
Dobado González, Rafael and Hector Garcia Montero 'Colonial Origins of Inequality in Hispanic America? Some Reflections Based on New Empirical Evidence', *Revista de Historia Económica*, 28: 2 (2010), 253–77.
Dodds Pennock, Caroline, 'Aztecs Abroad? Uncovering the Early Indigenous Atlantic', *American Historical Review*, 125: 3 (2020), 787–814.
Drelichman, Mauricio, 'The Curse of Moctezuma: American Silver and the Dutch Disease', *Explorations in Economic History*, 42 (2005), 349–80.
Drelichman, Mauricio, *Lending to the Borrower from Hell: Debt, Taxes, and Default in the Age of Philip II* (Princeton, NJ: Princeton University Press, 2014).

Drelichman, Mauricio and Hans-Joachim Voth, *The Sustainable Debts of Philip II: A Reconstruction of Castile's Fiscal Position, 1566–1596*, *The Journal of Economic History*, 70: 4 (2010), 813–42.
Dubet, Anne, *Hacienda, Arbitrismo y Negociación Política: Los proyectos de erarios públicos y montes de piedad en los siglos XVI and XVII* (Valladolid: Universidad de Valladolid, 2003).
Dunning, Nicholas P. and Timothy Beach, 'Farms and Forests: Spatial and Temporal Perspectives on Ancient Maya Landscapes', in I. Peter Martini and Ward Chesworth eds, *Landscapes and Societies: Selected Case Studies* (Dordrecht: Springer, 2011), 369–89.
DuPlessis, Robert S., *Transitions to Capitalism in Early Modern Europe* (Cambridge: Cambridge University Press, 1997).
Duve, Thomas, 'Algunas Observaciones acerca del *modus operandi* y la prudencia del juez en el derecho canónico Indiano', in *Revista de Historia del Derecho*, 35 (2007), 195–226.
Duve, Thomas, 'La jurisdicción eclesiástica sobre los indígenas y el trasfondo del Derecho Canónico universal', in Ana de Zaballa Beascoechea ed., *La jurisdicción eclesiástica sobre los indígenas y el trasfondo del Derecho Canónico universal* (Madrid: Iberoamericana; Frankfurt am Main: Vervuert; Orlando, FL: Iberoamericana Vervuert Pub. Col., 2011), 29–44.
Duve, Thomas, 'What Is Global Legal History?', *Comparative Legal History*, 8: 2 (2020), 73–115.
Duve, Thomas, 'The School of Salamanca: A Case of Global Knowledge Production", in Thomas Duve, José Luis Egío, and Christiane Birr eds, *The School of Salamanca: A Case of Global Knowledge Production* (Leiden: Brill, 2021).
Earle, Rebecca, '"Two Pairs of Pink Satin Shoes!!" Race, Clothing and Identity in the Americas (17th–19th Centuries)', *History Workshop Journal*, 10: 52 (2201), 175–95.
Earle, Rebecca, 'The Pleasures of Taxonomy: Casta Paintings, Classification, and Colonialism', *William and Mary Quarterly*, 73: 3 (2016), 427–67.
Earle, Rebecca, 'Race, Clothing and Identity: Sumptuary Laws in Colonial Spanish America', in Giorgio Riello and Ulinka Rublack eds, *The Right to Dress: Sumptuary Laws in Global Perspective, c. 1200–1800* (Cambridge: Cambridge University Press, 2019), 325–45.
Ellingson, Ter, *The Myth of the Noble Savage* (Berkeley CA: University of California Press, 2001).
Elliott, John. H., 'The Decline of Spain', *Past and Present*, 20 (1961), 52–75.
Elliott, John. H., 'A Europe of Composite Monarchies', *Past and Present*, 137 (1992), 48–71.
Escobar, Arturo, *Encountering Development: The Making and Unmaking of the Third World* (Princeton, NJ: Princeton University Press, 2012).
Espinosa, Aurelio, '*Merced*', in Joel Mokyr ed., *The Oxford Encyclopedia of Economic History* (Oxford: Oxford University Press, 2003, published online 2005), 485–6.
Espinosa, Aurelio, 'The Spanish Reformation: Institutional Reform, Taxation, and the Secularization of Ecclesiastical Properties under Charles V', *The Sixteenth Century Journal*, 37: 1 (2006), 3–24.
Espinosa, Aurelio, *The Empire of the Cities: Emperor Charles V, the Comunero Revolt, and the Transformation of the Spanish System* (Leiden: Brill, 2009).
Eubanks, *Automating Inequality: How High-Tech Tools Profile, Police, and Punish the Poor* (New York: St Martin's Press, 2017).
Fabiola Orquera, Yolanda, '"Race" and "Class" in the Spanish Colonies of America', in Margaret Rich Greer, Walter Mignolo, Maureen Quiligan eds, *Rereading the Black Legend: The Discourses of Religious and Racial Difference in the Renaissance Empires* (Chicago: University of Chicago Press, 2008), 167–87.
Farriss, Nancy, *Maya Society under Colonial Rule: The Collective Enterprise of Survival* (Princeton, NJ: Princeton University Press, 1984).
Fernández-Santamaria, J. A., *The State, War and Peace* (Cambridge: Cambridge University Press, 1977).
Ferguson, Wallace K., *The Renaissance in Historical Thought* (New York: Houghton Mifflin Company, 1948).
Flynn, Dennis O. 'Fiscal Crisis and the Decline of Spain (Castile)', *The Journal of Economic History*, 42: 1 (1982), 139–47.

Flynn, Dennis O. and Arturo Giráldez, 'Born with a "Silver Spoon": The Origin of World Trade in 1571', *Journal of World History*, 10 (1995), 201–21.
Flynn, Dennis O. and Arturo Giráldez, *Spanish Profitability in the Pacific: The Philippines in the Sixteenth and Seventeenth Centuries* (London and New York: Routledge, 1998).
Flynn, Dennis O. and Arturo Giráldez, 'Cycles of Silver: Global Economic Unity through the Mid-Eighteenth Century', *Journal of World History*, 13: 2 (2002), 391–427.
Flynn, Dennis O., Arturo Giráldez, and Richard Von Glahn *Global Connections and Monetary History, 1470–1800* (Aldershot: Ashgate, 2003).
Friedman, Benjamin M., *Religion and the Rise of Capitalism* (New York: Penguin Random House, 2021).
Ford, A. and R. Nigh, *The Maya Forest Garden: Eight Millennia of Sustainable Cultivation of the Tropical Woodlands* (London and New York: Routledge, 2015).
Foucault, Michel, *Madness and Civilization: A History of Insanity in the Age of Reason*, trans. Richard Howard (London and New York: Routledge, 2005).
Foucault, Michel, *The Birth of Biopolitics*, trans. G. Burchell (New York: Picador, 2008).
Foucault, M. et al., *The Birth of Biopolitics: Lectures at the Collège de France, 1978–1979* (Basingstoke: Palgrave, 2008).
Frye, David, 'The Native Peoples of Northeast Mexico', in Richard E. W. Adams and Murdo J. MacLeod eds, *The Cambridge History of the Native Peoples of the Americas* (Cambridge: Cambridge University Press, 2008), 85–135.
Fujikane, Candace, *Mapping Abundance for a Planetary Future* (Durham, NC: Duke University Press, 2021).
Fusaro, Maria, B. Allaire, R. Blakemore, T. Vanneste, and Michael Dunford eds, *Law, Labour, and Empire: Comparative Perspectives on Seafarers, c. 1500–1800* (London: Palgrave, 2015), 236–55.
Garcia Latorre, Juan, Andrés Sánchez Picón, and Jesús García Latorre, 'The Man-Made Desert: Effects of Economic and Demographic Growth on the Ecosystems of Arid Southeastern Spain', *Environmental History*, vol. 6: 1 (2001), 75–94.
García Loaeza, Pablo, 'The Transcoding of the Codex Xolotl in Don Fernando de Alva Ixtlilxochitl's Historia de la nación chichimeca', *Ethnohistory*, 66: 1 (2019), 71–94.
García Pérez, Rafael D., 'Revisiting the America's Colonial Status under the Spanish Monarchy', in Thomas Duve, Heikki Pihlajamaki, and Stefan Voganauer eds, *New Horizons in Spanish Colonial Law: Contributions to Transnational Early Modern Legal History* (Frankfurt: Max Planck Institute for Legal History and Legal Theory, 2015), 29–74.
García-Piña, Tania Lizeth, 'They No Longer Belonged to the Governor, but to the King': The Politics of Being in the Huexotzinco Codex', *Colonial Latin American Review*, 31: 4 (2023), 526–48.
Garibay Kintana, Angel Ma, *Vida Economica de Tenochtitlan, 1. Pochtecayotl (arte de traficar)* (Mexico DF: UNAM, 1961).
Garofalo, Leo and Kathryn Jo McKnight, *Afro-Latino Voices: Narratives from the Early-Modern Ibero-Atlantic World, 1550–1812* (Indianapolis and Cambridge: Hackett Publishing, 2009).
Gauderman, Kimberly, *Women's Lives in Colonial Quito: Gender, Law, and Economy in Spanish America* (Austin, TX: University of Texas Press, 2003).
Gibson, Charles, *The Aztecs under Spanish Rule: A History of the Indians of the Valley of Mexico, 1519–1810* (Stanford, CA: University of California Press, 1964).
Gordon, Barry, *Economic Analysis before Adam Smith: Hesiod to Lessius* (London and Basingstoke: Palgrave, 1975).
Graeber, David, *Debt: The First 5,000 Years* (Brooklyn and London: Melville House, 2014 (reprinted from 2011)).
Grafe, Regina, *Distant Tyranny: Markets, Power, and Backwardness in Spain, 1650–1800* (Princeton, NJ: Princeton University Press, 2012).
Grafe, Regina, 'Polycentric States: The Spanish Reigns and the "Failures" of Mercantilism', in Philip J. Stern and Carl Wennerlind eds, *Mercantilism Reimagined: Political Economy in Early Modern Britain and Its Empire* (Oxford: Oxford University Press, 2013), 241–62,

Grafe, Regina, 'Economic and Social Trends', in *The Oxford Handbook of Early Modern European History, 1350–1750*, vol. 1., *People and Places* (Oxford: Oxford University Press, 2015), 269–94.
Grafe Regina and Jorge M. Pedreira, 'New Imperial Economies', in *The Iberian World* (London: Routledge, 2019), 582–614.
Grant, D., 'Francisco de Vitoria and Alberico Gentili on the Juridical Status of Native American Polities', *Renaissance Quarterly*, 72 (2019), 910–52.
Greer, Allan, *Property and Dispossession: Natives, Empires and Land in Early Modern North America* (Cambridge: Cambridge University Press, 2018).
Grice-Hutchinson, Marjorie, *The School of Salamanca: Readings in Spanish Monetary Theory, 1544–1605* (Oxford: Clarendon Press, 1952).
Grice-Hutchinson, Marjorie, *Early Economic Thought in Spain 1177–1740* (Indianapolis, IN: Liberty Fund, Incorporated, 2015).
Guizzo, Danielle and Lara Vigo de Lima, 'Foucault's Contributions for Understanding Power Relations in British Classical Political Economy', *Economia*, 15: 2 (2015), 194–205.
Gunder Frank, Andre, *Mexican Agriculture 1521–1630: Transformation of the Mode of Production* (Cambridge: Cambridge University Press, 1979).
Gunnar Persson, Karl, *Grain Markets in Europe, 1500–1900: Integration and Deregulation* (Cambridge: Cambridge University Press, 1999).
Hackett Fischer, David, *The Great Wave: Price Revolutions and the Rhythm of History* (Oxford: Oxford University Press, 1996).
Hamilton, Earl J., *American Treasure and the Price Revolution* (Cambridge, MA: Harvard University Press, 1934).
Hanke, Lewis, *The Spanish Struggle for Justice in the Conquest of America* (Philadelphia, PA: University of Pennsylvania Press, 1949).
Hardt, M. and A. Negri, *Empire* (Cambridge MA: Harvard University Press, 2000).
Haring, Clarence, 'American Gold and Silver Production in the First Half of the Sixteenth Century', *The Quarterly Journal of Economics*, 29: 3 (1915), 433–79.
Haring, Clarence, *The Spanish Empire in America,* (New York: Oxford University Press, 1947).
Headley, John Miles, 'Towards the Historical Recovery of Charles Vs Grand Chancellor: Problems, Progress, Prospects', in Convengno di studi sotorici ed., *Mercurino Arborio di Gattinara, Gran Cancelliere di Carlo V, 450 Anniversario delle morte 1530–1980* (Vercelli: Coi tipi della S.E.T.E, 1982), 71–87.
Headley, John Miles, *Tommaso Campanella and the Transformation of the World* (Princeton, NJ: Princeton University Press, 1997).
Headley, John Miles, 'Geography and Empire in the Late Renaissance: Botero's Assignment, Western Universalism, and the Civilizing Process', *Renaissance Quarterly*, 53: 4 (2000), 1119–55.
Hendon, Julia A., 'Feasting at Home: Community and House Solidarity among the Maya of Southeastern Mesoamerica', in Tamara L Bray ed., *The Archaeology and Politics of Food and Feasting in Early States and Empires* (New York: Kluwer Academic, 2003), 203–24.
Herzog, Tamar, *Defining Nations: Immigrants and Citizens in Early Modern Spain and Spanish America* (New Haven, CT: Yale University Press, 2003).
Herzog, Tamar, 'The Appropriation of Native Status: Forming and Reforming Insiders and Outsiders in the Spanish Colonial World', *Journal of the Max Planck Institute for European Legal History*, 22 (2014), 140–9.
Herzog, Tamar, *Frontiers of Possession: Spain and Portugal in Europe and the Americas* (Cambridge, MA: Harvard University Press, 2015).
Hidalgo, Alex, *Trail of Footprints: A History of Indigenous Maps from Viceregal Mexico* (Austin, TX: University of Texas Press, 2019).
Hitchcock David and Julia McClure, 'Introduction', in David Hitchcock and Julia McClure eds, *Routledge History of Poverty, 1450–1800* (London and New York: Routledge, 2021).
Howard, Keith David, *The Reception of Machiavelli in Early Modern Spain* (Suffolk: Boydell & Brewer, 2014).

Huguet-Termes, Teresa, 'Madrid Hospitals and Welfare in the Context of the Hapsbug Empire', *Medical History*, 53: 29 (2009), 64–85.
Isendahl, Christian and Michael E. Smith, 'Sustainable Agrarian Urbanism: The Low-Density Cities of the Mayas and Aztecs', *Cities*, 31 (2013), 132–43.
Israel, Jonathan, 'The Decline of Spain: A Historical Myth?', *Past and Present*, 91 (1981), 170–80.
Jago, Charles, 'Habsburg Absolutism and the Cortes of Castile', *American Historical Review*, 86 (1981), 307–26.
Jones, Grant D., 'The Lowland Mayas, from the Conquest to the Present', in R. Adams and M. MacLeod eds, *The Cambridge History of the Native Peoples of the Americas*, vol. 2, *Mesomerica*, Part 2 (Cambridge: Cambridge University Press, 2008), 346–91.
Kagan, Richard L., 'Prescott's Paradigm: American Historical Scholarship and the Decline of Spain', *The American Historical Review*, 101: 2 (1996), 423–46.
Kamen, Henry, 'The Decline of Spain: A Historical Myth?' *Past and Present*, 81: 1 (1978), 24–50.
Kamen, Henry, *Imagining Spain: Historical Myth and National Identity* (New Haven, CT: Yale University Press, 2008).
Kantorowicz, E., *The King's Two Bodies* (Princeton, NJ: Princeton University Press, 1957).
Keen, Benjamin, 'The Black Legend Revisited: Assumptions and Realities, *The Hispanic American Review* (1969), 49: 4, 703–19.
Keen, Benjamin, *The Aztec Image in Western Thought* (New Brunswick, NJ: Rutgers University Press, 1971).
Kellogg, Susan, *Law and the Transformation of Aztec Culture, 1500–1700* (Norman, OK: University of Oklahoma Press, 1995).
Koch, Alexander, Chris Brierley, Mark M. Maslin, and Simon L. Lewis, 'Earth System Impacts of the European Arrival and Great Dying in the Americas after 1492', *Quaternary Science Reviews*, 207 (2019), 13–36.
Koehn, Daryl and Barry Wilbratte, 'A Defence of a Thomistic Concept of the Just Price', *Business Ethics Quarterly*, 22: 3 (2012), 501–26.
Kosiba, Steve, 'Cultivating Empire: Inca Intensive Agricultural Strategies', in Sonia Alconini and Alan Covey eds, *The Oxford Handbook of the Incas* (Oxford: Oxford University Press, 2018), 227–46.
Koskenniemi, M., 'Empire and International Law: The Real Spanish Contribution', *University of Toronto Law Journal*, 61 (2011), 1–36.
Landes, David, *The Wealth and Poverty of Nations* (New York: Norton & Company, 1998).
Langholm, Odd, 'Scholastic Economics', in S. Todd Lowry ed., Pre-Classical Economic Thought (Boston/Dordecht/Lancaster: Kluwer Academic Publishers, 1987), 115–35.
Langholm, Odd, *Economics in the Medieval Schools: Wealth, Exchange, Value, Money and Usury according to the Paris Theologian Tradition 1200–1350* (Leiden: Brill, 1992).
Langholm, Odd, *The Merchant in the Confessional: Trade and Price in the Pre-Reformation Penitential Handbooks* (Leiden: Brill, 2002).
Leavitt-Alcántara, Brianna, *Alone at the Altar: Single Women and Devotion in Guatemala, 1670–1870* (Stanford, CA: Stanford University Press, 2018).
LeCount, Lisa J., Chester P. Walker, John H. Blitz, and Ted C. Nelson eds, 'Land Tenure Systems at the Ancient Maya Site of Actuncan, Belize', *Latin American Antiquity*, 30: 2 (2019), 245–65.
Lee, A. D., *From Rome to Byzantium AD 363 to 565: The Transformation of Ancient Rome* (Edinburgh: University of Edinburgh Press, 2013).
León-Portilla, Miguel, 'Mesoamerica before 1519', in Leslie Bethell ed., *The Cambridge History of Latin America*, vol. 1, *Colonial Latin America* (Cambridge: Cambridge University Press, 1984), 1–36.
Leon-Portilla, Miguel and Carmen Aquilera, *Mapa de México Tenochtitlán y sus contornos hacia 1550* (Mexico DF: Celanese Mexicana, 1986).
Lis Catherina and Soly Hugo, *Poverty and Capitalism in Pre-Industrial Europe* (Brighton, Sussex: Harvester Press, 1979).
Livi Bacci, Massimo, 'The Depopulation of Hispanic America after the Conquest', *Population and Development Review*, 32: 2 (2006), 199–232.

Livi Bacci, Massimo, *Conquest: The Destruction of the American Indios*, trans. Carl Ipsen (Cambridge: Polity, 2008).
Livi Bacci, Massimo, *A Concise History of World Population* (Oxford: Wiley Blackwell, 2017 6th edn, first published 2007).
Lockhart, James, 'Encomienda and Hacienda: The Evolution of the Great Estate in the Spanish Indies', *Hispanic American Historical Review*, 49: 3 (1969), 411–29.
Lockhart, James, *The Nahuas after the Conquest: A Social and Cultural History of the Indians of Central Mexico, Sixteenth through Eighteenth Centuries* (Stanford, CA: Stanford University Press, 1992).
Lopez, John F., *A Companion to Viceregal Mexico City, 1519–1821* (Leiden: Brill, 2022).
López Losa, Ernesto and Santiago Piquero Zarauz, 'Spanish Subsistence Wages and the Little Divergence in Europe, 1500–1800', *European Review of Economic History*, 25: 1 (2021), 59–84.
Macleod, Murdo J., 'Aspects of the Internal Economy of Colonial Spanish America: Labour; Taxation; Distribution and Exchange', in Leslie Bethell ed., *The Cambridge History of Latin America* (Cambridge: Cambridge University Press, 1984), 219–64.
Maffie, James, *Aztec Philosophy: Understanding a World in Motion* (Boulder, CO: University of Colorado Press, 2014).
Malinowski, Mikołaj, 'Little Divergence Revisited: Polish Weighted Real Wages in a European Perspective, 1500–1800', *European Review of Economic History*, 20: 3 (2016), 345–67.
Marcus, Joyce, 'The Plant World of the Sixteenth- and Seventeenth-Century Lowland Maya', in Dennis Edward Puleston and Kent V. Flannery eds, *Maya Subsistence: Studies in Memory of Dennis E. Puleston* (New York: Academic Press, 1982), 239–73.
Marina Arrom, Silvia, *Containing the Poor: The Mexico City Poor House, 1774–1871* (Durham, NC and London: Duke University Press, 2000).
Marks, Robert B., 'The (Modern) World since 1500', in J. R. McNeill and Erin Stewart Mauldin eds, *A Companion to Global Environmental History* (Oxford: Wiley-Blackwell, 2012), 57–78.
Martens, Stephanie B., *The Americas in Early Modern Political Theory: States of Nature and Aboriginality* (Basingstoke: Palgrave, 2016).
Martínez, María Elena, *Genealogical Fictions: Limpieza de Sangre, Religion, and Gender in Colonial Mexico* (Stanford, CA: Stanford University Press, 2008).
Martz, Linda, *Poverty and Welfare in Habsburg Spain, The Example of Toledo* (Cambridge: Cambridge University Press, 1983).
Masters, Adrian, 'The Two, the One, the Many, the None: Rethinking the Republics of Spaniards and Indians in the Sixteenth-Century Spanish Indies', *The Americas*, 78: 1 (2001), 3–36.
Masters, Adrian, 'A Thousand Invisible Architects: Vassals, the Petition and Response System, and the Creation of Spanish Imperial Caste Legislation', *Hispanic American Historical Review*, 98: 3 (2018), 377–406.
Matheny, Raymond T., 'Ancient Lowland and Highland Maya Water and Soil Conservation Strategies', in Dennis Edward Puleston and Kent V. Flannery eds, *Maya Subsistence: Studies in Memory of Dennis E. Puleston* (New York: Academic Press, 1982), 157–78.
Matthew, Laura and Michel Oudijk, eds., *Indian Conquistadors: Indigenous Allies in the Conquest of Mesoamerica* (Norman, OK: University of Oklahoma Press, 2007).
McClure, Julia, *The Franciscan Invention of the New World* (Basingstoke: Palgrave, 2016).
McClure, Julia, 'Religious Exemption and Global History before 1300—Closing Comments', *Medieval Worlds*, 6 (2017), 272–7.
McClure, Julia, 'The Charitable Bonds of the Spanish Empire: *The Casa de Contratación* as an Institution of Charity', *New Global Studies*, 12: 2 (2018), 157–74.
McClure, Julia, 'The Globalisation of Franciscan Poverty', *Journal of World History* 30: 3 (2019), 335–62.
McClure, Julia, 'Translating Franciscan Poverty in Colonial Latin America', in Jenny Mander, David Midgley, and Christine D. Beaule eds, *Transnational Perspectives on the Conquest and Colonization of Latin America* (London and New York: Routledge, 2019), 39–60.
McClure, Julia, 'Poverty and Empire', in David Hitchcock and Julia McClure eds, *The Routledge History of Poverty, 1450–1800* (London: Routledge, 2020), 39–59.

McClure, Julia, 'The Role of Constitutions in Shaping Historic Patterns of Inequality: Rethinking the Spanish Tradition', in Anna Chadwick, Javier Solana, Eleonora Lozano Rodriguez, and Andrés Palacios eds, *Markets, Constitutions and Inequality* (London and New York: Routledge, 2022), 142–60.
McClure, Julia, 'Scarcity and Risk in the Tropics', *History Workshop Online* (2022).
McClure, Julia, 'The Rights of the Poor: Taking the Long View', in Steven L. B. Jensen and Charles Walton eds, *Social Rights and the Politics of Obligation in History* (Cambridge: Cambridge University Press, 2022), 29–46.
McClure, Julia, 'Taxation, Welfare, and Inequalities in the Spanish Imperial State', in G. K. Bhambra and J. McClure eds, *Imperial Inequalities: The Politics of Economic Governance across European Empires* (Manchester: Manchester University Press, 2022).
McClure, Julia, 'An [In]Hospitable World', in A. Brett, M. Donaldson, and M. Koskenniemi eds, *History, Politics, Law: Thinking through the International* (Cambridge: Cambridge University Press, 2022), 231–52.
McClure, Julia, 'Conquest by Contract: Property Rights and the Commercial Logic of Imperialism in the Isthmus of Tehuantepec (Southern Mexico)', *Bulletin of Latin American Studies*, 41: 4 (2022), 557–72.
McClure, Julia, 'The Intellectual Foundations of Imperial Concepts of Inequality', *Journal of Global Intellectual History* 9: 1–2 (2024), 18–35.
McClure, Julia, 'Poverty and Race, in Nicholas Terpstra ed., *The Cultural History of Poverty* (London: Bloomsbury, forthcoming).
McCormack, Ted, *Human Empire, Mobility and Demographic Thought in the British Atlantic World, 1500–1800* (Cambridge: Cambridge University Press, 2022).
McNeil, J. R., *Something New under the Sun: An Environmental History of the Twentieth-Century World* (New York and London: W.W. Norton & Company, 2000).
Meek, Ronald L., *Social Science and the Ignoble Savage* (Cambridge: Cambridge University Press, 1976).
Megged, Amos, *Exporting the Catholic Reformation: Local Religion in Early-Colonial Mexico* (Leiden: Brill, 1996).
Megged, Amos, 'Poverty and Welfare in Mesoamerica During the Sixteenth and Seventeenth Centuries: European Archetypes and Colonial Translations', *Colonial Latin America Historical Review*, 6: 1 (1997), 1–29.
Meiksins Wood, Ellen, *The Origin of Capitalism: A Longer View* (New York: Monthly Review Press, 1999).
Melville, Elinor G. K., *A Plague of Sheep: Environmental Consequences of the Conquest of Mexico* (Cambridge: Cambridge University Press, 1997).
Menchú, Rigoberta, *I, Rigoberta Menchú* (London: Verso, 2010).
Milton, Cynthia E., *The Many Meanings of Poverty: Colonialism, Social Compacts, and Assistance in Eighteenth-Century Ecuador* (Stanford, CA: Stanford University Press, 2007).
Mirow, M. C., 'Juan Solórzano Pereira', in Rafael Domingo and Javier Martínez-Torrón eds, *Great Christian Jurists in Spanish History* (Cambridge: Cambridge University Press, 2018), 240–58.
Mohar Betancourt and Luz María, *Códice Mapa Quintatzin, Justicia y derechos humanos en el México antiguo* (Mexico DF: Grupo Editorial Miguel Ángel Porrúa, 2004).
Monson, Andrew and Walter Scheidel, eds, *Fiscal Regimes and the Political Economy of Premodern States* (Cambridge: Cambridge University Press, 2015).
Mora, Mariana, 'Ayotzinapa and the Criminalization of Racialised Poverty in La Montaña, Guerrero, Mexico', *Political and Legal Anthropology Review*, 40: 1 (2017).
Moulton, 'Marooned Slaves of Esmeraldas: Survival, Autonomy and Spanish Authority, 1553–1600', in Maurits S. Hassankhan, Lomarsh Roopnarine, Cheryl White, and Radica Mahase eds, *Legacy of Slavery and Indentured Labour Historical and Contemporary Issues in Suriname and the Caribbean* (Abingdon: Routledge, 2016), 231–55.
Mundy, Barbara, 'Aztec Geography and the Spatial Imagination', in Kurt A. Raaflaub and Richard J. A. Talbert eds, *Geography and Ethnography: Perceptions of the World in Pre-Modern Societies* (Oxford: Wiley-Blackwell, 2010), 108–27.

Munro, John H., 'The Monetary Origins of the "Price Revolution": South German Silver Mining, Merchant Banking, and Venetian Commerce, 1470–1540', in Dennis Owen Flynn, Arturo Giráldez, and Richard Von Glahn eds, *Global Connections and Monetary History, 1470–1800* (Aldershot: Ashgate, 2003), 1–34.

Muriel, Josefina, *Hospitales de la Nueva España*, vol. I., *Fundaciones del siglo XVI* (Mexico DF: Universidad Nacional Autónoma de México, Cruz Roja Mexicana, 1990).

Nader, Helen, *Liberty in Absolutist Spain: The Habsburg Sale of Towns, 1516–1700* (Baltimore, MD: John Hopkins University Press, 1990).

North, Douglas and Barry R. Weingast, 'Constitutions and Commitment: The Evolution of Institutions Governing Public Choice in Seventeenth-Century England', *The Journal of Economic History*, 49: 4 (1989), 803–32.

Novoa, Mauricio, *The Protectors of Indians in the Royal Audiencia of Lima: History, Careers and Legal Cultures, 1575–1775* (Leiden: Brill, 2016).

Offner, Jerome A., *Law and Politics in Aztec Texcoco* (Cambridge: Cambridge University Press, 1983).

Offner, Jerome A., 'The Future of Aztec Law', in Elizabeth Lambourn and Carol Symes eds, *Legal Encounters on the Medieval Globe* (Kalamazoo and Bradford: Arc Humanities Press, 2017), 1–32.

O'Flanagan, Patrick, *Port Cities of Atlantic Iberia, c. 1500–1900* (Abingdon and New York: Routledge, 2016, first published 2008).

Orique, D. T., 'Bartolomé de las Casas' "Critique of War and Vision of Peace"', in W. John Morgan and Alexandre Guilherme eds, *Peace and War: Historical, Philosophical, and Anthropological Perspectives* (London: Palgrave, 2020), 11–32.

Ortiz, Antonio Domínguez, *The Golden Age of Spain 1516–1659*, translated from the Spanish M.S. (New York: Basic Books, 1971).

Owensby, Brian, *Empire of Law and Indian Justice in Colonial Mexico* (Stanford, CA: Stanford University Press, 2008).

Owensby, Brian, *New World of Gain: Europeans, Guaraní, and the Global Origins of Modern Economy* (Stanford, CA: Stanford University Press, 2022).

Owens, J. B., 'The Conception of Absolute Royal Power in Sixteenth Century Castile', *Il Pensiero Politico*, 10: 3 (1977), 349–61.

Owens, J. B., *"By My Absolute Royal Authority", Justice, and the Castilian Commonwealth at the Beginning of the First Global Age* (Rochester, NY: University of Rochester Press, 2005).

Pagden, Anthony, *Lords of All the World* (New Haven, CT: Yale University Press, 1995).

Pagden, Anthony, 'The School of Salamanca', in George Klosko ed. *The Oxford Handbook of the History of Political Philosophy* (Oxford: Oxford University Press, 2001), 245–57.

Pagden, Anthony, 'Introduction: Francisco de Vitoria and the Origins of the Modern Global Order', in José María Beneyto and Justo Corti Varela eds, *At the Origins of Modernity: Francisco de Vitoria and the Discovery of International Law* (Cham: Springer International, 2017), 1–17.

Pamuk, Şevket, 'Crisis and Recovery: The Ottoman Monetary System in the Early Modern Era, 1550–1789', in Dennis Owen Flynn, Arturo Giráldez, and Richard Von Glahn eds, *Global Connections and Monetary History, 1470–1800* (Aldershot: Ashgate, 2003), 133–48.

Paquette, Gabriel, *The European Seaborne Empires, from the Thirty Years' War to the Age of Revolutions* (New Haven: Yale University Press, 2019).

Parker, Geoffrey, *Global Crisis, War, Climate Change and Catastrophe in the Seventeenth Century* (New Haven, CT: Yale University Press, 2013).

Perez de Herrera, Cristóbal, *Amparo de Pobres* (Madrid: Espasa-Calpe, S.A., 1975).

Pérez Miguel, Lillian and Renzo Honores, 'Cacicas Land, and Lititgation in Seventeenth-Century Chincha, Peru', in Margarita R. Ochoa and Sara Vicuña Guengerich eds, *Cacicas: The Indigenous Women Leaders of Spanish America, 1492–1825* (Norman, OK: University of Oklahoma Press, 2021), 189–214.

Perry, Mary Elizabeth, *Crime and Society in Early Modern Seville* (Hannover, NH and London: University Press of New England, 1980).

Perry, Mary Elizabeth, *Gender and Disorder in Early Modern Seville* (Princeton, NJ: Princeton University Press, 1990).

Pike, Ruth, *Aristocrats and Traders* (Ithaca, New York: Cornell University Press, 1972).

Pike, Ruth, 'Penal Servitude in Early Modern Spain: The Galleys', *The Journal of European Economic History*, 11: 14 (1982), 197–217.

Polanyi, Karl, *The Great Transformation: The Political and Economic Origins of Our Times* (Boston, MA: Beacon Press, 2002).

Porras, Ilenea, Appropriating Nature: Commerce, Property, and the Commodification of Nature in the Law of Nations, *Leiden Journal of International Law*, 27 (2014), 641–60.

Porras, Ilenea, 'The Doctrine of the Providential Function of Commerce in International Law: Idealizing Trade', in Martti Koskenniemi et al. eds, *International Law and Religion: Historical and Contemporary Perspectives* (Oxford, Oxford University Press, 2017), 313–33.

Puente Luna, José Carlos de la, *Andean Cosmopolitans: Seeking Justice and Reward at the Spanish Royal Court* (Austin, TX: University of Texas Press, 2018).

Pulido Rull, Ana, *Mapping Indigenous Land: Native Land Grants in Colonial New Spain* (Norman, OK: University of Oklahoma Press, 2021).

Pullan, Brian, 'Catholics and the Poor in Early Modern Europe', *Transactions of the Royal Historical Society*, 36 (1976), 15–34.

Pym, Richard, *The Gypsies of Early Modern Spain, 1425–1783* (Basingstoke: Palgrave 2007).

Pym, Richard, 'Lives at the Margin: Spain's Gypsies and the Law in the Late Sixteenth and Early Seventeenth Centuries', in R. Cacho and C. Egan eds, *Routledge Companion to Early Modern Spanish Literature and Culture* (Abingdon: Routledge, 2022).

Rahn Phillips, Carla, *Ciudad Real, 1500–1750: Growth, Crisis and Readjustment in the Spanish Economy* (Cambridge, MA and London: Harvard University Press, 1979).

Ramírez, Susan Elizabeth, *To Feed and Be Fed: The Cosmological Bases of Authority and Identity in the Andes* (Stanford, CA: Stanford University Press, 2005).

Ramírez, Susan Elizabeth, 'Land and Tenure in Early Colonial Peru: Individualizing the Sapci, "That Which Is Common to All"', in Elizabeth Lambourn and Carol Symes eds, *Legal Encounters on the Medieval Globe* (Kalamazoo and Bradford: Arc Humanities Press, 2017), 33–72.

Ramos, Gabriela, 'Indian Hospitals and Government in the Colonial Andes', *Medical History*, 57: 2 (2013), 186–205.

Rappaport Joanna and Tom Cummins, *Beyond the Lettered City: Indigenous Literacies in the Andes* (Durham, NC and London: Duke University Press, 2012).

Ray, Jonathan, 'Iberian Jewry between West and East: Jewish Settlement in the Sixteenth-Century Mediterranean', *Mediterranean Studies*, 18 (2009), 44–65.

Read, Kay A., *Time and Sacrifice in the Aztec Cosmos* (Bloomington, IN: Indiana University Press, 1998).

Reeve, C. D. C., *Socrates in the Apology: An Essay on Plato's Apology of Socrates* (London: Hackett, 1989).

Reinert, Sophus, *Antonio Serra and the Economics of Good Government* (Basingstoke: Palgrave, 2016).

Reséndez, Andrés, *The Other Slavery: The Untold Story of Enslavement in America* (Boston, MA: Houghton Mifflin Harcourt, 2016).

Restall, Matthew, *The Maya World: Yucatec Culture and Society, 1550–1850* (Stanford, CA: Stanford University Press, 1997).

Restall, Matthew, 'Black Conquistadors: Armed Africans in Early Spanish America' *The Americas*, 47: 2 (2000), 171–205.

Riello, Giorgio and Ulinka Rublack, *The Right to Dress: Sumptuary Laws in Global Perspective, c. 1200–1800* (Cambridge: Cambridge University Press, 2019).

Ringrose, David R., *Madrid and the Spanish Economy* (Berkeley, CA: University of California Press, 1983).

Rivero, Ángel, 'Prologue, in Alonso de Castrillo', *Tratado de República con otras historias y antigüedades* (Madrid: Centro de Estudios Políticos y Constitucionales 2021), XI–CLIII.

Roberts, Patrick, *Tropical Forests in Prehistory, History, and Modernity* (Oxford: Oxford University Press, 2019).
Robles, Braulio, Jorge Flores, Jose Luis Martínez, and Patricia Herrera, 'The Chinampa: An Ancient Mexican Sub-Irrigation System', *Irrigation and Drainage*, 68: 1 (2019), 115–22.
Rodríguez, Alexa, 'Reflections on the 1521 Rebellion: Teaching the History of Early Afro-Descendants in Latin America', *Latino Studies*, 20: 4 (2022), 555–61, 556.
Rodríguez Morel, Genaro, 'The Sugar Economy of Española in the Sixteenth Century', in Stuart B. Schwartz ed., *Tropical Babylons: Sugar and the Making of the Atlantic world, 1450–1680* (Chapel Hill, NC: University of North California Press, 2004), 84–114.
Rota, Mauro and Jacob Weisdorf, 'Italy and the Little Divergence in Wages and Prices: New Data, New Results', *The Journal of Economic History*, 80: 4 (2020), 931–60.
Roys, Ralph L., ed., *The Book of Chilam Balam of Chumayel: Literature of the Yucatan Mayans; the Religion, Calendar and Legends of the Maya Civilization* (Pantianos Classics, first published 1933).
Ruiz Martín, Felipe, *La población Española al comienzo de los tiempos modernos* (Madrid: Cuadernos de historia: Anexos de la revista Hispania, 1967).
Ruiz Medrano, Ethelia, *Mexico's Indigenous Communities, Their Lands and Histories, 1500–2010* (Denver, CO: University Press of Colorado, 2010).
Sabatino Lopez, Robert, *The Commercial Revolution of the Middle Ages* (New York: Cambridge University Press, 1976).
Safley, Thomas, ed., *The Reformation of Charity: The Secular and the Religious in Early Modern Poor Relief* (Boston, MA: Brill Academic Publishers, 2003).
Sahlins, Marshall, *Stone Age Economics* (London and New York: Routledge, 2017).
Salvucci, Richard J., *Textiles and Capitalism in Mexico: An Economic History of the Obrajes, 1539–1840* (Princeton, NJ: Princeton University Press, 1987).
Santolaria Sierra, Felix, 'Estudio Introductorio', in Miguel de Giginta, *Tratado de remedio de pobres* (Barcelona: Editorial Ariel, 2000), 9–57.
Sardone, Sergio, 'Forced Loans in the Spanish Empire: The First Requisition of American Treasures in 1523', *Economic History Review*, 72: 1 (2019), 57–87.
Schumpeter, Joseph, *History of Economic Analysis* (London: Allen & Unwin, 1954).
Schüssler, Rudolf, 'The Economic Thought of Luis de Molina', in Alexander Aichele and Mathias Kaufmann eds, *A Companion to Luis de Molina* (Leiden: Brill, 2013), 257–88.
Schwaller, John F., 'Alcalde vs. Mayor: Translating the Colonial World', *The Americas*, 69: 3 (2013), 391–400.
Schwaller, Robert C., *African Maroons in Sixteenth-Century Panama: A History in Documents* (Norman, OK: University of Oklahoma Press, 2021).
Schwartz, Stuart B, *Tropical Babylons: Sugar and the Making of the Atlantic World, 1450–1680* (Chapel Hill, NC: University of North Carolina Press, 2004).
Scott, James C., *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia* (New Haven and London: Yale University Press, 2009).
Seaman Rebecca, ed., *Conflict in the Early Americas: An Encyclopedia of the Spanish Empire's Aztec, Incan, and Mayan Conquests* (Santa Barbara, CA: ABC Clio, 2013).
Seijas, Tatiana, *Asian Slaves in Colonial Mexico: From Chinos to Indians* (Cambridge: Cambridge University Press, 2014).
Semo, Enrique, *The History of Capitalism in Mexico: Its Origins, 1521–1763* (Austin, TX: University of Texas Press, 1993).
Serrano Alvarez, José A., 'When the Enemy is the State: Common Lands Management in Northwest Spain (1850–1936)', *The International Journal of the Commons*, 8 (2014), 107–33.
Sherman, William L. *Forced Native Labor in Sixteenth-Century Central America* (Lincoln and London: University of Nebraska Press, 1979).
Shilliam, Robbie, *Race and the Undeserving Poor: From Abolition to Brexit* (Newcastle: Agenda Publishing, 2018).
Skinner, Quentin, *The Foundations of Modern Political Thought* (New York: Cambridge University Press, 1978).

Skinner, Quentin, *Foundations of Modern Political Thought*, vol. 2, *The Age of Reformation* (Cambridge: Cambridge University Press, 1978).
Smith, Michael E., and Frederic Hicks, 'Inequality and Social Class in Aztec Society', in Deborah L. Nichols and Enrique Rodríguez-Alegría eds, *The Oxford Handbook of the Aztecs* (Oxford: Oxford University Press, 2017), 423–36.
Smith, Michael E., *The Aztecs* (Oxford: Blackwell Publishers, 1996).
Smith, Michael E., Jennifer B. Wharton, and Jan Marie Olson, 'Aztec Feasts, Rituals, and Markets Political Uses of Ceramic Vessels in a Commercial Economy', in Tamara L. Bray ed., *The Archaeology and Politics of Food and Feasting in Early States and Empires* (New York: Kluwer Academic, 2003), 235–70.
Spicker, Paul, ed. *The Origins of Modern Welfare* (Bern: Peter Lang, 2010).
Steck, F. B., *El Primer colegio de América, Santa Cruz de Tlatelolco* (Mexico DF: Centro de estudios franciscanos, 1944).
Stein, Stanley and Barbara H. Stein, *Silver, Trade, and War: Spain and America in the Making of Early Modern Europe* (Baltimore, MD: Johns Hopkins University Press, 2003).
Stern, Philip J. and Carl Wennerlind, 'Introduction', in Philip J. Stern and Carl Wennerlind eds, *Mercantilism Reimagined: Political Economy in Early Modern Britain and Its Empire* (Oxford: Oxford University Press, 2013).
Storrs, Christopher, *The Resilience of the Spanish Monarchy 1665–1700* (Oxford: Oxford University Press, 2006).
Strayercu, Joseph R., *On the Medieval Origins of the Modern State* (Princeton, NJ: Princeton University Press, 1970, First Princeton Classics Edition, 2016).
Tau Anzoátegui, Víctor, ed., *El Jurista en el Nuevo Mundo* (Frankfurt: Max Planck Institute for Legal History and Legal Theory, 2016).
Taylor, William B., *Landlords and Peasants in Colonial Oaxaca* (Stanford, CA: Stanford University Press, 1972).
Terraciano, Kevin, *The Mixtecs of Colonial Oaxaca: Ñudzahui History, Sixteenth through Eighteenth Centuries* (Redwood City, CA: Stanford University Press, 2001).
Terrazas Williams, Danielle, 'Finer Things: African-Descended Women, Sumptuary Laws, and Governance in Early Spanish America', *Journal of Women's History*, 33: 3 (2021), 11–35.
Tilly, Christopher, *Coercion, Capital, and European States, AD 990–1992* (Cambridge: Blackwell, 1990).
Thompson, E. P., 'The Moral Economy of the English Crowd in the Eighteenth Century', *Past and Present*, 50: 1 (1971), 76–136.
Thompson, I. A. A., 'Crown and Cortes in Castile, 1590–1665', *Parliaments, Estates & Representation*, 2: 1 (1982), 29–45.
Townsend, Peter, *Poverty in the United Kingdom: A Survey of Household Resources and Standards of Living* (Harmondsworth: Penguin Books, 1979).
Toy-Fung, Tung, 'Vitoria's Ideas of Supernatural and Natural Sovereignty: Adam and Eve's Marriage, the Uncivil Amerindians, and the Global Christian Nation', *Journal of the History of Ideas*, 75: 1 (2014), 45–68.
Tremml-Werner, Birgit, *Spain, China, and Japan in Manila, 1571–1644: Local Comparisons and Global Connections* (Amsterdam: Amsterdam University Press, 2015).
Trivellato, Francesca, 'The Moral Economies of Early Modern Europe', *Humanity: An International Journal of Human Rights, Humanitarianism, and Development*, 11: 2 (2020), 193–201.
Tutino, John, *Making a New World: Founding Capitalism in the Bajío and Spanish North America* (Durham, NC: Duke University Press, 2011).
Valerio, Miguel Alejandro, *Sovereign Joy: Afro-Mexican Kings and Queens, 1539–1640* (Cambridge: Cambridge University Press, 2022).
van Deusen, Nancy E., *Global Indios: The Indigenous Struggle for Justice in Sixteenth-Century Spain* (Durham, NC: Duke University Press, 2015).
van Deusen, Nancy E., 'Passing in Sixteenth-Century Castile', *Colonial Latin American Review*, 26: 1 (2017), 85–103.

Van Zanden, J. L. 'Tracing the Beginning of the Kuznets Curve: Western Europe during the Early Modern Period', *Economic History Review*, 48: 4 (1995), 643–64.
Vargas del Carpio, Ana María, 'Los Indios como "personas miserabiles" en Bartolomé de las Casas: La jurisdicción eclesiástica como un remedio para las Indias', *Revista de estudios histórico-jurídicos, sección historia del derecho indiano*, XLII (2020), 397–425.
Vassberg, David E., 'The Tierras Baldías: Community Property and Public Lands in 16th Century Castile', *Agricultural History*, 48: 3 (1974), 383–401.
Vassberg, David E., *Land and Society in Golden Age Castile* (Cambridge: Cambridge University Press, 1984).
Vicens Vives, Jaime, *An Economic History of Spain* (Princeton, NJ: Princeton University Press, 1969).
Vignaud, Henry, *Toscanelli and Columbus: The Letter and Chart of Toscanelli* (London: Sands & Co, 1902).
Vigo de Lima, Iara, *Foucault's Archaeology of Political Economy* (Basingstoke: Palgrave, 2010).
Vilches, Elvira, *New World Gold: Cultural Anxiety and Monetary Disorder in Early Modern Spain* (Chicago, IL: University of Chicago Press, 2010).
Vincent, Bernard, 'The Geography of the Morisco Expulsion: A Quantitative Study', in Mercedes García-Arenal Rodriquez and Gerard A. Wiegers eds, *The Expulsion of the Moriscos from Spain: A Mediterranean Diaspora* (Leiden: Brill, 2014), 19–36.
von Germeten, Nicole, *Black Blood Brothers: Confraternities and Social Mobility for Afro-Mexicans* (Gainesville, FL: University Press of Florida, 2006).
von Vacano, Diego A., *The Colour of Citizenship: Race, Modernity, and Latin American/Hispanic Political Thought* (Oxford: Oxford University Press, 2012).
Vos, Jan de, *La Paz de Dios y del Rey: La Conquista de la Selva Lacandona, 1525–1821* (Mexico DF: Fondo de Cultura Económica, 1980).
Vries, Peer, *Escaping Poverty: The Origins of Economic Growth* (Vienna: Vienna University Press, 2013).
Wallerstein, Immanuel, *The Modern World-System*, 3 vols (London: Academic Press, 1976–89).
Webster, Susan Verdi, 'Research on Confraternities in the Colonial Americas', *Confraternities*, 9: 1 (1998), 13–24.
Weckmann, Luis, *Las bulas alejandrinas de 1493 y la teoría política del Papado medieval: Estudio de la supremacía papal sobre islas, 1091–1493* (México DF: Universidad Nacional Autónoma de México, Instituto de Historia, 1949).
Weckmann, Luis, *The Medieval Heritage of Mexico*, trans. Frances M. López-Morillas (New York: Fordham University Press, 1992).
Whitehead, Neil, 'Carib Cannibalism: The Historic Evidence', *Journal de la Société des Américanistes*, 70: 1 (1984), 69–87.
Whyte, Jessica, *The Morals of the Market: Human Rights and the Rise of Neoliberalism* (London and New York: Verso, 2019).
Williams, Caroline, *Between Resistance and Adaptation: Indigenous Peoples and the Colonisation of the Chocó, 1510–1753* (Liverpool: Liverpool University Press, 2004).
Williams, Eric, *Capitalism and Slavery* (New York: Russell & Russell, 1961).
Wong, R. Bin, *China and Historical Capitalism* (Cambridge: Cambridge University Press, 1999).
Wood, Diane, *Medieval Economic Thought* (Cambridge: Cambridge University Press, 2012, online edition).
Wright, Elizabeth R., *The Epic of Juan Latino: Dilemmas of Race and Religion in Renaissance Spain* (Toronto: University of Toronto Press, 2016).
Wunder, Amanda, *Baroque Seville: Sacred Art in a Century of Crisis* (University Park: Penn State University Press, 2017).
Xu, Jin, *Empire of Silver: A New Monetary History of China*, trans Stacy Mosher (New Haven, CT: Yale University Press, 2021).
Yanna Yannakakis, *Since Time Immemorial: Native Custom and Law in Colonial Mexico* (Durham, NC: Duke University Press, 2023).

Yun-Casalilla, Bartolomé, *Sobre la transición al capitalismo en Castilla: Economía y sociedad en Tierra de Campos (1500–1830)* (Junta de Castilla y Leon, consejería de educación y cultura, 1987).
Yun-Casalilla, Bartolomé, *Iberian World Empires and the Globalization of Europe 1415–1668* (Basingstoke: Palgrave, 2019).
Yun-Casalilla, Bartolomé, 'The Peninsular Economies and the Impact of Globalization (ca. 1494–1700)', in Fernando J. Bouza Alvarez, Pedro Cardim, and Antonio Feros eds, *The Iberian World, 1450–1820* (New York: Routledge, 2019), 189–210.
Yun-Casalilla, Bartolomé, 'Early Modern Iberian Empires, Global History and the History of Early Globalization', *Journal of Global History*, 17: 3 (2022), 1–23.
Yun-Casalilla, Bartolomé, Patrick K. O'Brien, and Francisco Comín, eds, *The Rise of Fiscal States: A Global History, 1500–1914* (Cambridge: Cambridge University Press, 2012).
Zapatero, Pablo, 'Legal Imagination in Vitoria: The Power of Ideas', *Journal of the History of International Law*, 11 (2009), 221–71.

Index

Since the index has been created to work across multiple formats, indexed terms for which a page range is given (e.g., 52–53, 66–70, etc.) may occasionally appear only on some, but not all of the pages within the range.

Arbitrista 13–15, 20–1, 34–6, 41–3, 50, 100, 102, 191, 201–2
Aristotle 11–13, 81–2, 86
Aquinas, Thomas of 11–12, 81–2, 89–91, 186
Africans and Afro-descendants 7–10, 16–151, 153–7, 169–70, 180, 197–8, 204–6
Agriculture 7, 20–1, 35, 39–41, 43–9, 54–6, 58, 63–5, 67–8, 70–3, 76–7, 103, 116–17, 131, 148–9, 161, 164–6, 185–8, 190
Agro-ecology 54–6, 58, 63–4, 165–6, 169, 204–5
Azpilcueta, Martín de 12, 41–2, 90–1, 186–7, 191

Botero, Giovanni 15–18, 68–90, 96–102
Bodin, Jean 41–6

Campanella, Tommaso 96, 105–6
Cano, Melchor 12, 95–6
Capitalism 2–4, 6–8, 10–11, 21
Castrillo, Alonso de 79–80, 87
Caxa de Leruela, Miguel 21–3, 27–32, 47–50, 53–4, 95–6, 116–17, 128, 157–61, 167–8, 198, 202, 204–7
Charity 5–8, 17–18, 21–2, 30, 47, 63, 68, 91, 94–5, 98, 103, 106–8, 111–12, 118–25, 131–4, 141, 143, 194, 196–9, 201–4
Charles V 23–5, 34–5, 69, 83–8, 115–16, 118, 120–1, 126, 130, 145, 187–8, 191
Chichimeca 27–8, 54–6, 62, 107–8, 110–11, 139–40, 148, 169, 202–3
China 16, 44, 123–4, 127–8
Chinampa 58
Columbus, Christopher 1–2, 8–9, 36–7, 69–70, 105–6, 138–40
Cofraternities 17–18, 21–2, 58, 112–13, 131–2, 153–4, 169–70, 175, 177, 197, 202–3
Cortés, Hernán 8–9, 25–6, 34, 58, 64–5, 70, 87, 105, 165, 176, 181–3, 189–90
Crime 20–1, 93, 110, 127, 135–7, 142, 171

Debt 38–9, 42, 59–60, 116–17, 130, 159–61, 164–5, 173, 179, 181–3, 187–8, 194, 196, 199
Disability 62, 120, 125, 130, 132–3, 158, 160
Disease 77, 102, 116, 118, 158, 162–3, 194

Enclosure 4–5, 49, 116–17, 162–3
Encomienda 140–3, 161, 163–4, 180–3

Famine 47–9, 58–62, 65, 84, 86, 116, 124–5, 141, 185, 206–7
Foucault, Michel 2 n3, 28–9, 120

Gattinara, Mercurino di 85, 88
Giginta, Miguel de 49, 123–5, 132
Guaman Poma de Ayala, Felipe 14, 106–10, 112, 158–60
Greed 12–15, 71, 73, 79–80, 89–90, 100–2, 106, 108, 151–2, 160, 171–2, 186, 197–9
Gypsy, *see* Roma

Hacienda, *see* plantation
Hamilton, Earle J. 36–8, 41–6
Hobbes, Thomas 75–6
Hospitality 58, 67–8, 86, 93–6, 109, 125, 204–5
Hospital 149 n53, 17–18, 21–2, 97, 104–6, 111–12, 120–3, 127–8, 131, 141, 175–80, 190, 197–8

Inca Empire 10–11, 24–5, 34, 37, 56, 66–8, 71, 106–10, 123–4, 148–9, 160
Inequality 2–3, 10, 31–3, 51–2, 76, 94, 108, 116–17, 137, 148–9, 184–5, 202–4
Italy 47, 49–50, 96–7, 99, 105

Jews 110, 181–4

Landa, Diego de 65, 72–3
Las Casas, Bartolomé de 8–9, 13, 50, 71–2, 88, 94–5, 129–30, 141, 143–4, 146–7, 151–2, 158–9
Locke, John 74–5
Luxury 4–5, 14, 16–17, 36–7, 40–1, 102

Machiavelli, Niccolò 16–17, 97, 100, 113
Malthus, Thomas 14–15, 102
Manila 9–10, 24–5, 34, 111–12, 139, 179–80, 190
Mapuche 27–8, 66–7, 107–8, 110–11, 149
Mariana, Juan de 15, 90, 96, 100–5
Marx, Karl 3–4, 6–7, 53, 205

Maroons 110–11, 169, 188
Migration 9 n36, 43, 57, 62, 103–4, 118, 128–30, 132, 152, 158–9, 166–9
Milpa 63–5, 165–6, 204–5
Mining 7–9, 34–5, 37, 40, 44–5, 47, 128, 139–40, 151–2, 157–8, 160–1, 166, 179–80, 182–3
Mercado, Tomás de 13–15, 41, 186–7
Mercantilism 13–14, 187–8, 191–2
Moctezuma 8–9, 58, 93, 169–70, 172–3, 176, 178–9
Molina, Luis de 12, 72, 95, 186–7, 191
Moncada, Sancho de 13–14, 191
More, Thomas 4–5, 105–6
Muslims 23–4, 128, 132–3, 162, 176, 190

Naples, *see* Italy
Navarrete, Pedro Fernández de 14

Ortiz, Luis 13–14, 46–7, 191

Paternalism 30, 175
Perez de Herrera, Cristóbal 124–5
Personae miserabilis and *Personas miserables* 94–5, 125, 143–4
Peru 15, 21–2, 38, 66–8, 89–90, 106, 123–4, 147–9, 172–3, 179–80
Phillip II 43, 187–8
Philippines 7–10, 16, 18, 21–2, 27–8, 40, 111–12, 115, 139–41, 145–7, 179–80, 190
Plantation 7–9, 17–18, 26–7, 157–8, 164–5, 167–8, 185
Plato 13, 76, 119
Polanyi, Karl 28–31
Price fixing 185–92

Repartimiento 141–2, 158–9, 161, 164, 179–81
Robles, Juan de 120–2, 135
Roma 99–100, 133–4, 145
Rousseau, Jean Jacques 76, 83

Salamanca, School (or University) of 11–14, 41–2, 46, 69, 89, 95–7, 100, 143, 146, 191–2
San Benito 153–4, 202–3
Serra, Antonio 47
Silver 1–2, 7, 14–18, 34–45, 47, 106, 108–9, 148, 152, 158, 164, 192
Slavery 3–4, 7–9, 12–13, 57, 59–63, 72–3, 80, 86–7, 91, 110–12, 128–30, 132, 138–42, 151–4, 157–61, 168, 181–4, 188–9, 196
  Natural slaves 71
  Galley slaves 99–100, 131–2
  Tlacotin 62
Smith, Adam 14–15, 35–6, 46, 76–7, 191
Solórzano Pereira, Juan de 145–6
Soto, Domingo de 12, 89–91, 120–2, 179–80, 186–7
Suárez, Francisco 12, 90–1
Sumptuary laws 16, 60, 66–7, 145–6, 150–1

Taxation 4 n10, 28 n95, 7, 15, 26–7, 32–3, 38–9, 43, 57–8, 67, 76–7, 80–7, 92, 99, 103, 107, 112, 122–3, 128–9, 133, 157–8, 161, 166–70, 172–3, 175, 177, 179–81, 188–92, 200
Thompson, E. P. 30–1

Underdevelopment 34, 36, 43–5, 52

Vagabonds 3–4, 99–100, 110, 114, 120–1, 124, 126–7, 133–6, 145, 148–9, 154–7
Vagrancy 6, 43, 54, 62, 126, 137, 146–9, 158–9, 164–5
Vives, Juan Luis 13, 89, 103–4, 119–20, 124–5, 130–1, 134–5
Vitoria, Francisco de 11–13, 89–96, 143–4, 186, 192–3

Zorita, Alonso de 74, 161, 166–7